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THE TIMES

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TUESDAY OCTOBER 25 1994

Rival plans for the future of welfare

Dole system to be replaced by 'workfare'

By NICHOLAS WOOD, JILL SHERMAN AND JONATHAN PEYNN

A TOUGH new benefits regime designed to propel thousands of long-term jobless off the dole was unveiled by ministers yesterday as the future of the welfare state moved to the top of the political agenda.

Peter Lilley and Michael Portillo, the right-wing axis running the employment and social security departments, joined forces to put the idea of workfare at the core of the Government's strategy for getting people back to work.

In the clearest statement of the Government's intention to rewrite the welfare ground rules, Mr Portillo said: "Those who have been unemployed for a long period of time will be required perhaps to turn up on a training course, possibly to turn up and do a job of work which may be of value to the community."

At the same time, Labour unveiled its plans for a far-reaching overhaul of the welfare state by publishing the report of the Social Justice Commission set up by the late John Smith two years ago. The report, *Strategies for National Renewal*, proposes:

- taxation on child benefit for high earners;
- a national minimum wage;
- a guaranteed minimum pension;
- a part-time workers' benefit; and
- wage subsidies for employers taking on the long-term jobless.

As Mr Lilley attacked the report, saying it contained 18 spending pledges in its first 13 pages, Tony Blair, the Labour leader, was quick to distance



Lilley: proposal to get people back to work

himself from its most expensive ideas. Sir Gordon Borrie, the commission chairman, insisted that over a proposed 15-year implementation period the package would be self-financing, but Mr Blair pulled back from a full endorsement.

He welcomed the main thrust of the document, claiming it opened up "a second generation" of welfare provision, but made clear that he would pick and choose policies rather than adopt all of the commission's recommendations. "The report is hot, and is not meant to be, a manifesto. It is the work of an independent commission. Commissioners write reports; parties write manifestos."

In a Commons statement on the White Paper, *Jobseeker's Allowance*, Mr Lilley set out the Government's plans to change the law over the coming year so that unemployment benefit and income support for the jobless are replaced by a single new benefit — the jobseeker's allowance. It would come into effect in April 1996. Mr Lilley said that the new approach would save £200 million in a full year plus additional savings from cutting the dole queues, now standing at more than 2.5 million.

Donald Dewar, the shadow Social Security Secretary, criticised the way the Government had cut from 12 months to six months the period of no strings state cover against unemployment for which people had paid their National Insurance contributions. It would affect 250,000 people.

Payment of the new allowance is to be made conditional on claimants agreeing to follow individual back-to-work programmes drawn up by Jobcentre staff. Staff will have the power to direct claimants to job training or to community work such as clearing up derelict land.

Those who refuse to abide by the new rules face the temporary loss of all their benefits. These "sticks" are balanced by "carrots" designed to boost incentives for taking a job and to minimise the "unemployment trap".

Mr Lilley said: "The benefit system has a vital role to play in helping unemployed people into jobs. It should help the jobseeker and motivate the job-shy."

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Mr Walker with his wife Jean and daughters Sarah, left, and Romla after the verdict yesterday. "Thank God I have been found not guilty"

George Walker free after £19m fraud trial

By JON ASHWORTH

GEORGE Walker, the former champion boxer who created the Brent Walker leisure empire, was cleared of theft and false accounting at Southwark Crown Court yesterday after a trial which lasted four and a half months.

Mr Walker, 65, had been accused of "orchestrating" a £19.3 million profits fraud at Brent Walker's film division. His co-defendant, Wilfred Aquilina, 43, former group finance director, was convicted of one charge of false accounting and was granted conditional bail before sentencing on November 10.

It took the jury nearly seven days to reach a decision. Mr Walker's wife, Jean, and daughters, Sarah and Romla, were close to tears as the

verdicts were read out. His brother Billy, the former "Blond Bomber", said: "It's the right decision, isn't it? It's unbelievable."

Crowds gathered outside Chancery Lane, central London, as Mr Walker and his family left the court. He said: "This is a case that should never have been brought. I'm absolutely sure I am not guilty, and that goes for Wilfred too. Thank God for me I have been found not guilty, which I always expected I would."

The outcome is another defeat for the Serious Fraud Office, which faces an uncertain future in the light of criticism of the cost and complexity of fraud trials.

Lo a press conference, Mr

Walker spoke of the strain of the trial. "I am relieved, but I don't feel like celebrating. It has been too long, too much tension... We have all had our share of sleeping tablets... of walking round in the middle of the night."

He made a scathing attack on the bankers who led to his being ousted from the Brent Walker board in 1991. "The banks have a lot to answer for," he said. He criticised the complexity of his trial, saying even the judge had had trouble following the case.

Mr Walker, who was declared bankrupt last year, already appears to be planning a comeback. He spoke of "tremendous" support from business friends, and said: "I do think I have something to

give. The leisure business is something I know very well. His immediate aim was to "go home with my family, have dinner and go to bed."

The press conference was delayed for ten minutes after Mrs Walker and her daughters were trapped in a lift and had to be rescued. Reporters packed the press gallery while the nine men and two women jurors — one had dropped out sick — sat around a table deliberating the charges.

The court had heard how Mr Walker built an empire from a single petrol station in East London after retiring from boxing in the 1950s. He and his brother capitalised on their boxing, enjoying success with Punch Petrol and opening fast-food outlets called

Billy's Baked Potato. By the late 1980s, Brent Walker had grown to embrace pubs, casinos, film-financing and property developments, including Brightoo Marina and the Trocadero in central London.

In an impassioned 12 days in the witness box, Mr Walker repeatedly proclaimed his innocence. He had signed thousands of documents, relying on verbal explanations from senior lieutenants, and often found himself too tired to hold a pen. Papers approving multi-million pound deals with what appeared to be his signature were dated when he was away skiing.

Ready for next round, page 6
Setback for SFO, page 25
Pennington, page 27

Troops leave streets of Londonderry

TROOPS stopped patrolling the streets of Londonderry yesterday for the first time in 25 years in a move seen as one of the most significant gestures to nationalists since the IRA ceasefire (Nicholas Watt writes).

Sinn Féin hailed the decision as the first tentative step towards the withdrawal of all the 18,500 troops from Northern Ireland. Unionists in Londonderry condemned the move as premature, however, and claimed that it left their community dangerously exposed. An Army spokesman confirmed that troops had been withdrawn to their barracks.

Chequers talks, page 2

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Howard tells how he dealt with Al-Fayed's passport application

By PHILIP WEBSTER, POLITICAL EDITOR

THE battle between the Government and the Al-Fayed brothers took a fresh turn last night as Michael Howard, the Home Secretary, issued a detailed explanation of his role in their attempt to win British citizenship.

The Home Secretary intervened in an affair that has claimed one minister and still threatens the career of another as the Prime Minister decided to publish the findings of the inquiry by Sir Robin Butler, the Cabinet Secretary, into the cash-for-questions allegations against Neil Hamilton and Tim Smith.

The Al-Fayed believe there had been a politically motivated campaign to stop their passport applications. In his statement issued last night Mr Howard disclosed that the applications had been referred to him on three occasions, but that each time he had said it was for his junior minister alone to decide. He gave a

breakdown of the way the application by Ali Fayed, brother of Mohamed Al-Fayed, had been referred to him. Mr Howard said that Charles Wardle, who was then Immigration Minister, had referred the papers in the case to him in January this year because he wanted to discuss the case. He confirmed to Mr Wardle that the decision should be taken by him.

The case then came to his attention again when Mr Wardle's office referred to the Home Secretary the junior minister's intended decision on the application. It is understood that Mr Wardle intended to reject the application, although Mr Howard did not say that in his statement.

Mr Howard said only that the decision was to be taken by Mr Wardle, but he confirmed that he had suggested further inquiries should be made before a final decision was reached. He added that since

Mr Wardle had been succeeded by Nicholas Baker after the ministerial reshuffle in July he had told the new minister that he wanted him to deal with the applications.

The Cabinet Secretary's inquiry is understood to have covered claims going beyond those levelled at Mr Hamilton, the Corporate Affairs Minister, and Mr Smith, the former junior Northern Ireland Minister. Downing Street said Mr Major wanted to be as open as possible without publishing unsubstantiated allegations that may have been considered.

There are also indications that Mr Major may signal his backing for a wider investigation into the whole question of MPs' interests outside the Commons. A source close to him said: "He wants to put a stop to all of this. He knows he has to do something."

Mr Major studied Sir Robin's report when he returned to London last night after his summit meeting with Albert Reynolds. It could be published as early as today.

In another move by the



Howard: left decision to junior minister

Continued on page 2, col 6

Andrew Rowe, page 18
Letters, page 19

Tourist 'shot ten times'

Ivan Milat, the serial killer who murdered seven backpackers in Australia, shot a British tourist, Caroline Clarke, ten times in the head with a rifle with a silencer, a prosecutor told magistrates in Sydney yesterday.

Paris from the gun were found behind a wall in his house, the silencer in his garage. Page 13

£10 for Christmas

The £10 Christmas bonus will go to about 13.1 pensioners this year, the Social Security Department said last night. No government has increased the payment since it was introduced by Edward Heath in 1972. Inflation would have made it £65.70p this year.

Sri Lanka curfew

Sri Lanka imposed a statewide curfew after the bomb attack which killed Gamini Disanayake, the opposition presidential candidate, and 56 other people, including several leading opposition figures. Page 15

Expulsions spiral as state schools battle 'yobs'

By BEN PRESTON
EDUCATION CORRESPONDENT

STATE schools are locked in a spiral of discipline as record numbers of disruptive pupils are expelled and suspended.

Statistics obtained by *The Times* suggest that expulsions more than doubled last year in spite of government appeals that head teachers should use permanent exclusion only as a weapon of last resort. A Whitehall survey of 428 secondary schools in England found that almost 900 pupils were expelled in the academic year 1992-93, an average of more than two a

school; one in eight schools expelled five or more pupils. Some 1,178 pupils were suspended indefinitely, with 9,699 pupils ordered out of school for fixed periods.

If the figures are reflected nationally — and the Office for Standards in Education says its sample is broadly representative — it suggests a dramatic increase in discipline problems, with more than 3,000 pupils expelled annually. Teachers' leaders immediately seized on the findings as evidence that they are bearing the brunt of a burgeoning "yob culture". A series of studies has shown a steady increase in the number of expulsions.

Education Department research found permanent exclusions rose by more than one-third, from 2,910 in 1990-91 to 3,833 in 1991-92.

The latest survey by the Office for Standards in Education recorded a further sharp increase, with huge differences in rates between schools. Some 163 secondaries did not expel any pupils; 205 schools expelled between one and four pupils; 47 expelled between five and nine pupils; and ten schools expelled more than ten. Comprehensives and secondary modern schools were more likely to expel pupils than grammar schools. None of the 19 grammars in the survey excluded

five or more pupils permanently, compared with 45 of the 273 comprehensives and two of the 13 secondary moderns.

Nigel de Gruchy, general secretary of the National Association of Schoolmasters and Union of Women Teachers, said disruptive pupils were the biggest barrier to raising standards. But last night the Education Department said the national picture of permanent exclusions was extrapolated from a sample which might not be wholly representative. A spokeswoman said: "A number of the early inspections were targeted on schools that were giving cause for concern."

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مكتبة الامم المتحدة

Drink-drive killers' jail terms doubled

BY A STAFF REPORTER

THE crackdown on drink-driving was reinforced by the Court of Appeal yesterday when two motorists who killed while under the influence of alcohol had their 18-month prison sentences increased to four years.

Lord Taylor of Gosforth, the Lord Chief Justice, said the judges who jailed Simon Rayner and David Wing had paid insufficient regard to the aggravating factor of high alcohol consumption and that the sentences were "wholly inadequate". The court agreed with Sir Nicholas Lyell, QC, the Attorney-General, that the sentences must be increased.

Rayner, 33, of Huddersfield pleaded guilty at Leeds Crown Court in May to causing the death of Michael Bray by dangerous driving. Rayner's alcohol level was three times the limit when his car mounted the pavement and hit Mr Bray and three friends, who were injured.

Lord Taylor said Rayner had an unblemished character and driving record and had shown remorse. "But to be not just over the limit, but three times over the limit, is a very aggravating factor indeed," he said.

Wing, 40, of Stockton-on-

Tees, was jailed at Teesside Crown Court in June for causing the death of Shirley Poulton by careless driving while two and a half times over the alcohol limit.

Mrs Poulton and her husband of 38 years were walking their dog on a footpath when they were hit by Wing's car. Lord Taylor said Wing, too, had pleaded guilty and had shown remorse.

But the court could not accept his counsel's argument that he was guilty of just a "momentary lapse". Wing's high blood-alcohol level "goes to the criminality of what was done", he said.

Lord Taylor, sitting with Mr Justice Scott Baker and Mr Justice Longmore, said they were applying guidelines laid down recently by the Court of Appeal after the Government last year increased the maximum sentence for causing death by dangerous driving from five years to ten years.

Lord Taylor said the new four-year jail terms passed yesterday took into account the fact that Rayner and Wing had faced the "double jeopardy" of being sentenced a second time and should not be taken as the proper level of sentencing by trial judges.

Deadlock in Ulster talks at Chequers

BY NICHOLAS WATT AND ARTHUR LEATHLEY

JOHN Major and Albert Reynolds failed yesterday to overcome key differences in their efforts to produce a framework document on new relationships between Britain and the two parts of Ireland.

The two prime ministers admitted that significant differences remained between London and Dublin after several hours of talks at Chequers.

The two governments are deadlocked over issues of sovereignty and the powers to be held by any cross-border institutions.

The Irish Government is pressing for cross-border institutions with executive powers but the British Government fears such a move will alarm Unionists and fuel suspicions that their ultimate destiny is a united Ireland. A contingent of Ulster loyalist leaders yesterday began a five-day tour of America to present their own perspective on the future of Northern Ireland.

The failure to reach agreement on the issues during discussions at Chequers meant that Mr Major and Mr Reynolds were unable to set a timetable for the production of the so-called Joint Framework Document. It was originally scheduled to appear in July.

Both prime ministers instructed officials to study ways in which republican and loyalist paramilitaries can give up their arsenals of weapons.



John Byers, who was killed while travelling in Egypt

Shot holidaymaker's widow flies home

THE widow of the British holidaymaker who was shot dead in Egypt while the couple were celebrating their silver wedding anniversary arrived back in Britain last night (Andrew Pierce writes).

Linda Byers, whose husband John was killed at the weekend, was reunited with her 19-year-old daughter Claire at Heathrow. The couple's 18-year-old son David waited at the family home in

Maidenhead, Berkshire. The couple had been aware of the recent attacks on foreign tourists by Muslim extremists.

They were in a party which was attacked in a minibus on its way to an ancient temple near Luxor. Mr Byers, 46, who was an information technology specialist, was shot in the chest. Mrs Byers, 48, suffered shoulder injuries. Another British couple and the party's driver were also injured.

'Dubiety' leads fearful minister into unknown territory



POLITICAL SKETCH

Even into social security policy has the aura of stealth now permeated. "Broken down between sex," Peter Lilley said yesterday. Madam Speaker looked up, startled. Snoring journalists stirred in their seats. MPs were mystified. What could the Social Security Secretary mean?

Mr Lilley was being questioned in the Commons after his statement on the Jobseeker's Allowance. Sliding alongside the Employment Secretary, Michael Portillo, he had changed a series of

clauses to the benefit system. Lilley's Labour shadow, the formidably gloomy Donald Dewar, had expressed what Dewar called (and only Dewar would) a measure of "dubiety" on these proposals.

Mr Dewar's dubiety is extensive, some would say infinite. It seems at times to extend to the possibility that any work of man could ever produce any beneficial change, however slight, to the condition of man.

It extended yesterday to the question of the impact on women of the Government's plan. Dewar wondered how many women would be affected.

Lilley did not know. Mr Portillo, who would from time to time lean across with useful figures where helpful, appeared not to know either. Lilley muttered his apologies somewhat incoherently. Only one phrase was clearly audible, "broken down between sex".

Did he perhaps mean "broken down by sex"? Mr Lilley did look rather tired, though even "worn out" would be taking it too far, and few would describe him as broken down. Besides, it would be unusual for a minister to offer so personal an apology for his failure to provide figures.

The closest precedent that springs to mind was when Jerry Hayes (C, Harlow), in mid-speech to the Tory conference in 1993, stumbled on his words, threw up his hands and said to a thousand dele-

gates: "I'm making a hash of this. I know. I had a hard night last night."

But surely ministers do not do that? Any minister tempted at the dispatch box to use this excuse for his lack of homework would hardly choose Donald Dewar as a sympathetic ear.

Tall, stooped and dry, Mr Dewar has a prosecuting intellect and an unforgiving tongue. He cradles a sort of bleak, gale-lashed Calvinism. To Mr Dewar, sex, far from being an excuse for ill-preparedness, would compound the error, adding to the charge of indecency the aura of sin. With Mr. Mowlem, perhaps, or just possibly Clare Short, one might expect a plea of personal indisposition in mitigation for not having swotted up one's answers, but not Dewar.

Could it be, then, that Lilley meant not "sex" but "sexes"? "broken down between sexes"?

A mental picture of a transvestite by a conked-out car, summoning the AA, swam into our minds, but this was a long way from the Social Security Secretary's responsibilities.

We dismissed it. There was no choice but to accept his words as spoken. Your scribe's guess is that what Mr Lilley wanted to say was that he could not provide the figures Mr Dewar wanted, broken down by sex.

But, as he approached this phrase, some sixth sense warned him off it. The mislaid headline: LILLEY: "BROKEN DOWN BY SEX" boomed in his imagination. At the last minute he veered off it, clutching wildly at an alternative. Probably he meant to choose the phrase "broken down between the sexes".

Panic intervened and it ended up as "broken down between sex". Between sex and what? We may never know.

Workfare plan, page 1
Welfare, pages 8, 9

Britain seeks to protect animals

Britain is pressing for Europe-wide legislation to protect farm animals in transit, to restore exports to the Continent which have been limited because of concern about cruelty. At a meeting in Luxembourg yesterday, William Waldegrave, the Agriculture Minister, proposed a 15-hour limit on the time livestock could be transported without a break for rest, food and water.

Fall inquiry

The death of Joseph Nnabue, a Nigerian man who fell from the third floor of his south London home after immigration officers arrived there, is to be investigated by the Police Complaints Authority and Scotland Yard's Criminal Investigation Bureau.

Pay-off stopped

Huddersfield University yesterday bowed to pressure from MPs and government advisers and withdrew a £400,000 pay-off for Professor Kenneth Durrands, who is retiring as Vice-Chancellor, after an overwhelming vote of no-confidence by students and staff.

Mail revolt

A ninth Conservative MP, Patrick Cormack, added his name to a Commons motion opposing the Royal Mail sell-off, adding to fears of a backbench Tory revolt. However, a Government source said the difficulties were not "insurmountable".

M4 crash study

Crash barriers on the M4 were being examined after the death of a motorist whose car somersaulted on to the opposite carriageway. The new four-strand wire rope barrier is supposed to cushion the impact of oncoming vehicles back on to the road.

BBC overtaken

Commercial radio has more listeners than the BBC for the first time. Independent stations have 77.7 million adult listeners, 83,000 more than the BBC, according to Radio Joint Audience Research figures for the third quarter of the year. The BBC lost 3.4m listeners.

Prison chaos

The smuggling of drugs and alcohol at Lancaster jail is out of control, with prisoners sometimes under the influence of alcohol at the end of visits, according to a report published today by Judge Tunim, chief inspector of prisons, who calls for countermeasures.

Lottery joy

An unemployed father-of-three from Cobh, Co Cork, won £1.1 million in the Irish Lotto this weekend after the jackpot was increased to compete with the new British lottery. Vincent Keane, 39, said: "I can't believe this. I've never won a dime in my life."

Chunnel sell-out

Seats on the first Eurostar passenger service to Brussels through the Channel Tunnel sold out within nine hours of tickets going on sale yesterday. There were a few tickets left last night for the first train to Paris. Both services start on November 14.

Road beats rail

Most people want more money spent on public transport but would still use their own cars, a study for the Transport Department found. Even with massive investment on a rail route only 1 per cent of motorists would opt to use trains, the report said.

Kiss vindicated

Samantha Hume, a stewardess who kissed her boyfriend, a chef, while they were working on an offshore oil rig was awarded £2,500 by an industrial tribunal after she was sacked but he was demoted. The Aberdeen tribunal ruled that it was sex discrimination.

Howard tells how he handled Fayeds

Continued from page 1
Home Secretary yesterday, Mr Howard obtained another High Court injunction against the *Financial Times* preventing it publishing "certain allegations" about him. The action was taken by Mr Howard privately and he is paying for his own legal fees.

In the meantime, the future of Mr Hamilton was developing into a bizarre Left-Right tussle. There was fury on the Right at the lukewarm backing for Mr Hamilton offered by David Hunt, the Left-leaning Cabinet troubleshooter on Sunday. Downing Street appeared to offer less than wholehearted endorsement when it said: "Mr Hamilton is a member of the Government and the Prime Minister has confidence in all members of his Government."

But the Right hit back. Michael Portillo took the lead. He said last night: "The Prime Minister said Neil Hamilton should remain in the Government to fight his case. It is the Prime Minister's opinion that matters to me."

Interviewed on BBC Radio's *The World at One*, he said: "We have to be careful of asking people to resign just because they have been accused of things when nothing has been proved. That would make ministers a sitting target. He should be allowed to defend himself while he continues to be a minister."

Sir George Gardiner, the leading right-wing backbencher, backed calls at the weekend from leading Tory figures such as Lord Howe, Sir Norman Fowler and John Biffen, for a public inquiry into MPs' ethics. Sir George also argued that Mr Hamilton had the right to prove his innocence while remaining in office.

He said: "This idea that someone facing such accusations should immediately be banished to the back benches, be almost presumed guilty and have to establish his innocence through a libel action that may last two or three years, is quite unacceptable."

The renewed battle over Mr



Mohamed Al-Fayed: He recorded conversation

Hamilton's future came as the newly formed alliance between Tony Rowland, joint chief executive of *Leisure*, and Mohamed Al-Fayed suffered a severe setback.

Mr Rowland spoke angrily yesterday of Mr Al-Fayed's decision to record a discussion that the two former rivals had held over a private lunch at Harrods last Thursday. Mr Rowland told *The Times*: "I was invited to a private lunch for a private chat. I had no idea that this discussion was being tape-recorded."

Mr Rowland said that during the lunch there were "lots of jokes", including a 15-minute conversation about Mr Al-Fayed wanting to go to America for a penis transplant.

Andrew Rowe, page 18
Letters, page 19

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Double killer's confession ends two-year mystery

By RICHARD DUCE

A DOUBLE killer who had stayed silent for two years about his first victim, while an innocent man was charged with murder, was jailed for life yesterday.

Paul Allison eventually confessed, while awaiting trial for killing a second woman, to strangling Alison Stroud, 26, a bank clerk, after breaking into her home.

His confession to a prison chaplain finally lifted the cloud of suspicion that had hung over Miss Stroud's former boyfriend, who spent four months in custody before magistrates threw out the case against him. Colin Elliott, 34, who worked with Miss Stroud at Northumberland County Council's education department, eventually lost his job and was forced to move away from the area.

Allison, 25, of Bedlington, Northumberland, admitted at Newcastle upon Tyne Crown Court the murder of Miss Stroud in May 1991 and of Joan Douglas, a neighbour, two years later in March 1993.

After the murder of Mrs Douglas, Allison had tried to blame a close friend for the

murder but eventually confessed during his eleventh interview with police.

Mr Justice May said both murders were atrocious and that he would recommend to the Home Secretary that the life sentences should be lengthy. "The circumstances are chilling. Your actions at and after the murders indicate a propensity to which all right-minded people would react with horror," he said.

"Quite apart from the horror of taking human lives in this way the effect on the relatives, friends and acquaintances will be profound and irreparable."

John Milford, QC, for the prosecution, said Miss Stroud was an attractive, intelligent, educated and popular woman who had returned to her home in Bedlington after a night out with a friend.

Allison was later to confess that he had climbed through a bathroom window to find Miss Stroud asleep in bed. He said that after chatting to her for two hours she consented to sex, a claim strongly contested by Mr Milford on the basis of scientific evidence. The court

was told that Allison bound Miss Stroud's hands and feet with her stockings and told her: "Alison, I will have to kill you. I am going to kill you." He then strangled her.

Mr Milford said Allison struck again in March 1993 when he stabbed his neighbour Mrs Douglas, 50, to death after she too returned from an evening out. Mrs Douglas, who was separated from her husband, discovered Allison had broken into her home and armed herself with a knife for protection.

"There was a brief struggle, she was quickly overpowered and disarmed then stabbed fatally in the chest. As she lay face down on the floor her throat was cut a number of times," Mr Milford said.

James Chadwin, QC, for the defence, said that without his jail confession Miss Stroud's killer might never have been found. "He thought it right to make the admission about that earlier killing for the sake of the young woman's family."

Mr Elliott, who had always maintained his innocence, is now understood to be living in the Nottingham area and considering legal action against the police.

He was arrested and charged six months after Miss Stroud's murder and then spent four months on remand at Durham jail before magistrates ruled that there was no case against him.

His solicitor, Jim Errington, said last night: "I remain instructed by Mr Elliott, but he does not wish me to comment on any further action which might be taken."

Supt Peter Smith, who led the inquiry that led to the prosecution of Mr Elliott, would not comment about the case yesterday. However, he said: "I am very pleased for the families of the two women that this is now over. Hopefully, they can now start to put things behind them."



Paul Allison leaving court in Newcastle yesterday



Amanda Minko leaving court yesterday after being cleared of whipping her lover's former girlfriend with a riding crop during a fight in a tack room

Stable girl cleared of whip attack

A STABLE worker was cleared yesterday of horse-whipping her boyfriend's former lover. In a tale of passion and violence, St Albans Crown Court was told how Amanda Minko and Julie Brockbank, both 27, fought in a tack room on Christmas Eve last year.

During the trial it was alleged that Miss Minko, the girlfriend of William Harvey, 39, the stable boss's son, took a riding crop to Miss Brockbank.

The jury was told that Miss Brockbank, a saleswoman, was Mr Harvey's former girlfriend and that the two had had a daughter. The prosecution alleged that Miss Minko hit Miss Brockbank with a riding crop after the other woman sped past her horse in a country lane.

But Miss Minko, who lives and works at Chestnut Park Farm Stables in Hertfordshire, claimed that she was attacked by Miss Brockbank when she confronted her about the driving incident.

The jury acquitted Miss Minko of causing actual bodily harm after a two-day trial. Earlier, the court had been told how both women had been romantically involved with Mr Harvey.

Claudius Algar, for the defence, claimed that Miss Brockbank was jealous of the relationship between Mr Harvey and Miss Minko, and began following the two of them.

Miss Minko told the jury: "She used to follow us around. If I met him in a pub she would always make sure she was there. Once there was an argument. I stayed out of it but Mr Harvey had to tell Julie to go away and leave us alone."

Miss Minko alleged that Miss Brockbank had driven past her horse on previous occasions. She claimed that Miss Brockbank sped up as she passed her on Holy Cross Hill, close to the stables, on Christmas Eve last year.

She said: "She put her foot down and revved her engine



Julie Brockbank denied jealousy

and splashed my horse. She knew it was me and I knew it was her as she came towards us. The horse jumped to the side and went in a ditch."

Miss Minko admitted that she was angry when she got back to the stables, where Miss Brockbank was mucking out her own horse. There was a showdown in the tack room, where Miss Minko asked: "Don't you slow down for horses?"

The jury was told that there was then a fight in which Miss Brockbank sustained a cut to the head that needed a stitch. Miss Brockbank, of Harlow, Essex, who has since moved her horse from the stable, alleged that Miss Minko hit her five or six times with the metal handle of a riding crop.

She denied speeding past the horse and claimed Miss Minko hit her on the head from behind. Miss Minko denied this, saying Miss Brockbank hit her on the face.

Mr Algar asked the jury to consider if Miss Brockbank was a reliable witness.

"Amanda has said, 'Yes, I was angry, but was a greater degree of anger simmering and burning in Julie's mind?'"

Miss Brockbank denied she was jealous and, after the case, said she had been in hospital when she was alleged to have been following the couple.

"This is a man who simply loved to be loved. He did not have friends"

Bank worker stole £1.2m to buy affection

By A STAFF REPORTER

A BANK executive stole half a million pounds so he could live the high life with two mistresses and send his local football club on international tours, a court was told.

Graham Doughty, who used bank funds to fly Concorde, take lavish holidays and buy a home, a business and a car for one girlfriend, was jailed for 4½ years yesterday at Birmingham Crown Court. Doughty, a married man from Stenall, Staffordshire, admitted 11 charges of theft from TSB.

The court was told that he had worked at the bank's headquarters for 25 years and risen to corporate affairs manager, with a salary of £32,000. As co-ordinator of two staff

sporting activities accounts, Doughty, 43, embezzled company charge card funds and forged signatures on cheques over two and a half years. The thefts came to light in January after audit changes.

Graham Cliff, for the prosecution, said that as well as spending £330,000 on his mistresses, Doughty had written cheques totalling £141,000 to Hawthorne Rangers Football Club, the local league club he had founded in 1972. He paid for club tours to Spain, Italy, Germany and France and at the time of his arrest had booked a tour to Florida.

There was also luxury trips for his girlfriends. Mr Cliff said: "There was no expense spared. He took them on

lavish holidays to places like the Seychelles, flew Concorde to New York and visited clubs like the Moulin Rouge in Paris."

When one of the women, Marilyn Dorrin, had a child whom Doughty believed was his, he gave her money to pay for medical treatment for the child in America which was unnecessary. Philip Parker, QC, for the defence, said: "When she told him she was pregnant with his child in 1992, he showered her with money, set her up in a home and even bought her record shop business in Kent, which subsequently failed."

When the relationship ended and TSB moved its headquarters from London to

Birmingham, Doughty met his second mistress, Rachel Nagar, and bought her a £62,000 flat in Edgbaston.

"By this time he was on a clear path to ruin," Mr Parker said. "All the time he was heavily subsidising his beloved football club." He also paid for parking passes and overseas holidays for colleagues.

Mr Parker described Doughty as lonely and depressed. "His marriage survived on companionship alone and one of the saddest issues between him and his wife was that she didn't want a child and he did."

"His abject loneliness at home made him more vulnerable and someone who was

plainly seeking more attention... although his job meant that he had many acquaintances and everybody liked him, he had no friends."

"We are talking about a disastrous two and a half years. This is a man who simply loved to be loved. It was not a case of stealing for greed but buying affection and clearly overdosing on other people's affections."

Mr Parker said Doughty had lost his job, his pension and TSB shares, but his wife was standing by him.

Judge Peter Crawford told Doughty: "It is the tragedy of your abilities, talent and record that you are standing in the place where you now stand."

Retrial after jury used ouija board

By RICHARD FORD, HOME CORRESPONDENT

A MAN jailed for life for double murder won a retrial yesterday because four members of the jury used a ouija board to "talk" to one of his alleged victims before jurors reached a verdict.

While the jury was staying overnight at a hotel, they had tried to consult the victim during a "drunken experiment". They asked, "Who did it?" and were allegedly told the defendant, Stephen Young, was responsible.

The Lord Chief Justice, Lord Taylor of Gosforth, quashed the convictions against Mr Young, who was jailed for life at Hove Crown Court in March for murdering Harry Fuller, 45, and his wife Nicola, 27. Mr Young,

35, from Pembury, Kent, will remain in custody until the retrial at the Old Bailey.

The Court of Appeal was told that after some jurors used a ouija board in an attempt to "talk" to Mr Fuller, there were discussions over breakfast by members of the jury.

Michael Lawson QC, for the Crown, said that the Court of Appeal should not "elevate a drunken experiment" into a recognition that it had some practical effect.

Lord Taylor, who was sitting with two other judges, will give reasons for their decision to order a retrial later.

Law, page 37

Student's taped interview described commando-style killing

By ROBIN YOUNG

A FORMER Gordonstoun pupil described in recorded interviews how he killed a stranger with a commando-style "killing" knife he had persuaded his father to buy for him by mail order, a court was told yesterday.

In taped interviews with police played yesterday at the Central Criminal Court, Jamie Petrolini, 19, described how he had thrust the 16cm blade of the knife into the neck of his chance victim, Mohamed El-Sayed, a father of two young children, and then four or five times into his chest aiming at the man's

heart. Mr Petrolini said he felt "like a vigilante getting rid of the bad in society" and regarded the killing as part of training for the SAS.

"At the time of actually doing it it didn't seem I was doing anything wrong," he told police in a long series of taped interviews played to the jury. Mr Petrolini said he had given the knife as a belated Christmas present to his friend, Richard Elsey, whom he had met at a private college in Oxford where they were studying to re-sit their A levels.

He said the knife had a diamond-shaped blade 16cm long tapering to a sharp tip and cost about £40. He had seen it advertised in a military

magazine. "I asked my father to pay for it with his credit card, but I did not tell him what it was. I may have told him it was relevant for my preparation for the Paras, or as a birthday present for somebody."

In the taped interviews Mr Petrolini claimed that Mr Elsey, 19, of Beaconsfield, Buckinghamshire, who both deny murder, had told him they had to go to London for him to get his "first blood" and to "slit somebody, slit meaning to kill". He said that after travelling to London by Express coach he and Elsey exchanged knives so that he carried the killing knife, because he did not think a knife Mr Elsey had

given him was "suitable for the job".

In the recorded tapes Mr Petrolini said that after searching in vain for a pimp or drug dealer to kill in the King's Cross area of London he and Mr Elsey had gone to Queensway in west London where they decided to jump into a slow-moving car with only one man in it.

They let seven or eight pass, he said, and then a large chrome-coloured business car with only one man in it stopped at the junction.

Mr Petrolini said: "I got in very quickly and told the man: 'Don't move, I have a weapon'."

He said he reached over to unlock the rear door so that Mr Elsey could

get in and sit behind the driver. "I said 'Rich' and he didn't say anything, which meant everything was OK, so I lifted the knife and struck him, aiming for just under the Adam's apple. I struck him slightly to the left and severed a vein. He grabbed the knife..."

Mr Petrolini said Mr Elsey squeezed the man's neck to stop him yelling and put his other arm across his chest so he could not move. Mr Petrolini said: "I changed targets from his neck to his heart."

Mr Petrolini has admitted manslaughter on the grounds of diminished responsibility. The hearing continues today.



Elsey denies murder with his co-accused

Miss Mullane was stabbed twice in the shoulder. Her father John, 61, was slashed across the face and her mother Eileen, 57, needed a blood transfusion after receiving a ten-inch chest wound.

Cardiff Crown Court was told that moments later another neighbour, Harry Stephenson, 51, was stabbed dead on his doorstep. Shankland was cleared of murder but found guilty of manslaughter on the ground of diminished responsibility. He was also found guilty of two charges of wounding and one of attempted wounding.



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شركة الراجحي

Work on new Jubilee Underground line halted as fears grow over controversial tunnelling method

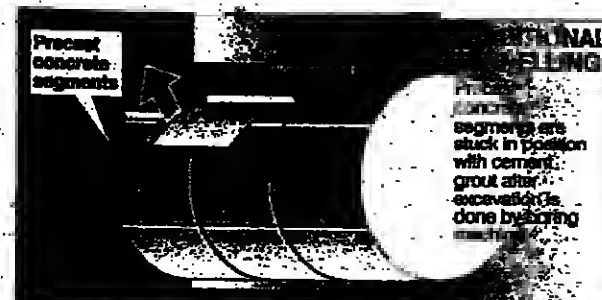
Airlines demand guarantee that Heathrow runway is safe

By TIM JONES
AND HARVEY ELLIOTT

INTERNATIONAL airlines have demanded cast-iron assurances that the runway at Heathrow, the world's busiest airport, will be unaffected by further tunnelling work for the new rail link to Paddington.

An airline executive said: "The present problem appears to have been contained, but further construction work under the runway is going to cause real problems unless we have a cast-iron assurance that it will be done properly. This is a question of crucial importance which must be taken on board at the highest level."

Work using the controversial New Austrian Tunneling Method has progressed 180 metres to the north from below Terminal 3, stopping just short of the taxiway. It is planned to extend the course a further 20 metres, still short of the main runway but below the routes taken by heavy aircraft on their way to



the terminals. As engineers from the contractors, Balfour Beatty, and BAA struggled to save buildings at Heathrow yesterday, all work was suspended on new stations at Waterloo and London Bridge

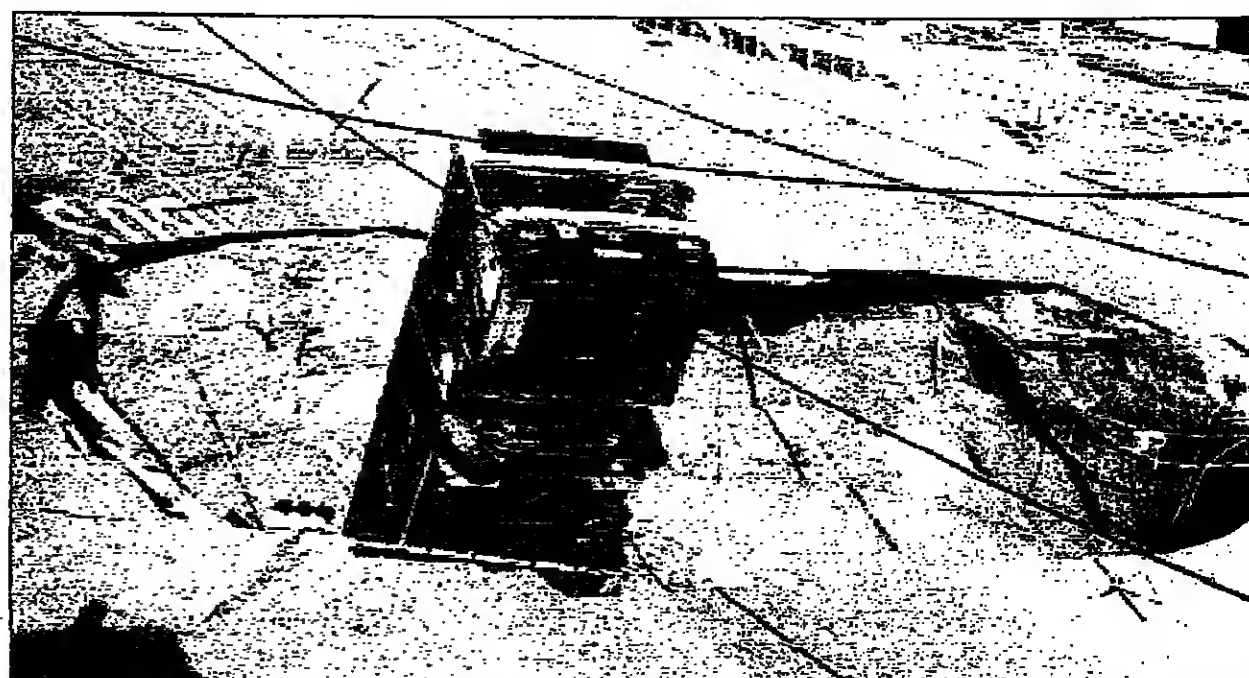
which form part of the £1.3 billion extension to the Jubilee Line. The new stations are also being excavated by the Austrian method, which allows engineers to dispense with huge

pre-cast steel or concrete casings to shore up excavations in large underground caverns. The method is used all over the world, but there was increasing concern last night over whether it was suitable for use in London clay.

Michael Meacher, Labour's shadow Transport Secretary, asked Dr Brian Mawhinney, the Transport Secretary, for an assurance that all work using the tunnelling method would be suspended. "Thankfully, no lives have been lost, but it has been a costly and embarrassing episode."

Questions have also been raised over its safety after an accident in Munich on September 20 when three people died and dozens were injured. A bus fell into a crater formed when a railway tunnel being dug 70ft underground by the method collapsed. Some officials are blaming water seepage for the accident.

Last Saturday, a hole appeared on the pitch of Munich's Dante stadium during a match. Officials said this was also caused by a seepage of



Three people died when this Munich bus fell into a cavern created by tunnelling using the Austrian method

ground water through the roof of a U-Bahn tunnel being dug under the pitch, using the same drilling method.

At Heathrow yesterday, Cambourne House, the two-storey office block which collapsed on Sunday, slipped again despite attempts by engineers to stabilise it by pumping concrete into caverns underneath. A multi-

storey car-park at Terminal 3 close to the site of the landslide remains closed while engineers assess the strength of its foundations, and passengers at Terminal 3 face long waits for buses.

Travellers are still unable to reach Terminal 4 by Underground and if driving will encounter hold-ups, road closure and limited parking

space. Heathrow Airport has appealed for travellers to use public transport, promising to give priority to buses and coaches and running a special double-decker bus shuttle service between Hatten Cross Underground station and Terminal 4.

A spokeswoman for Heathrow Express refused to speculate on the cause of the

subsidence. "We are looking at every single angle and we have a team of structural engineers carrying out a full investigation," she said.

British Airways said yesterday that none of its flights had been affected and most passengers had been able to check in on time.

Margot Norman, page 16

Cancer treatment a lottery, says specialist

By JEREMY LAURANCE
HEALTH SERVICES
CORRESPONDENT

TREATMENT for breast cancer in Britain is a lottery that leaves women frightened and confused and results in shocking variations in the death rate, according to a leading specialist.

Karol Sikora, professor of clinical oncology at Hammer-smith hospital, says patients are being misdiagnosed and wrongly treated and in some cases have been left with severe side effects such as damaged nerves and muscles.

Professor Sikora, an adviser to the Government on cancer services and an acerbic critic of the medical establishment, writes in next month's *Reader's Digest* that the high death rate is caused by bad management rather than a lack of medical knowledge.

"In Britain, surviving breast cancer is a lottery. The recent mortality rate 'atlas' released by the Department of Health shows shocking geographical variations.

"Half of all women diagnosed with the disease are treated by general surgeons who see far too few cases to build up the expertise required to treat the disease properly. Some don't even try to keep up to date with current thinking."

"It's time to give British women the standard of treatment other countries take for granted. Time to end this cruel lottery," he says.



Downes: operation

Clerk gives brain tissue for research

AN EPILEPSY victim is donating brain tissue for pioneering research into the disease which marred her life since the age of seven and of which she is now cured.

Surgeons using advanced techniques successfully operated on Emma Downes, 22, a clerk in the Metropolitan Police, earlier this year. To help to find a cure, she has donated the brain tissue removed in the operation for a research project.

The study will be carried out by specialists from the National Epilepsy Alliance, a collaboration of the National Society for Epilepsy, the National Hospital for Neurology and Neurosurgery and the Institute of Neurology. Scientists will try to establish whether there are abnormalities in the genes that cause epilepsy. If a genetic link is found, the next step may be to develop more effective drugs.

An evening with Joseph Heller

IN 1961, Joseph Heller achieved fame and fortune with the publication of *Catch-22*, his Second World War black-comedy blockbuster. Now, 33 years later, he has written the sequel to one of the most successful novels of the century. Joseph Heller will be talking about his new book, *Closing Time*, to Melvyn Bragg at a Times/Dillons Forum.

The forum will take place at Westminster Central Hall, Storeys Gate, London SW1 on Wednesday, November 2, at 7.30pm. Joseph Heller will be signing copies of *Closing Time*, after the event.

Tickets, priced £10 (concessions £7.50), are available either by calling Dillons on 071-915 6612 or by completing the form below and posting it to the address given.

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Not guilty verdict sets the scene for George Walker's comeback in classic rags to riches tale

Streetwise ex-boxer ready for next round

By JON ASHWORTH

THE George Walker story was always a best-seller in the making: the classic tale of an East End lad who rose from obscurity to create a multi-million pound empire.

The scenes were written long since. Walker, the 15-year-old, lugging fish at London's Billingsgate market. Walker, the champion boxer, battering his way to fame. Walker, the captain of industry, climbing into his helicopter en route to another make-or-break business meeting. Walker, the bankrupt, fighting a desperate last stand in the dock at Chichester Rents.

A new scene was added

yesterday when the former leisure industry tycoon walked from Southwark Crown Court a free man, defying his enemies yet again and leaving the way clear for a remarkable comeback. The former champion was back on his feet.

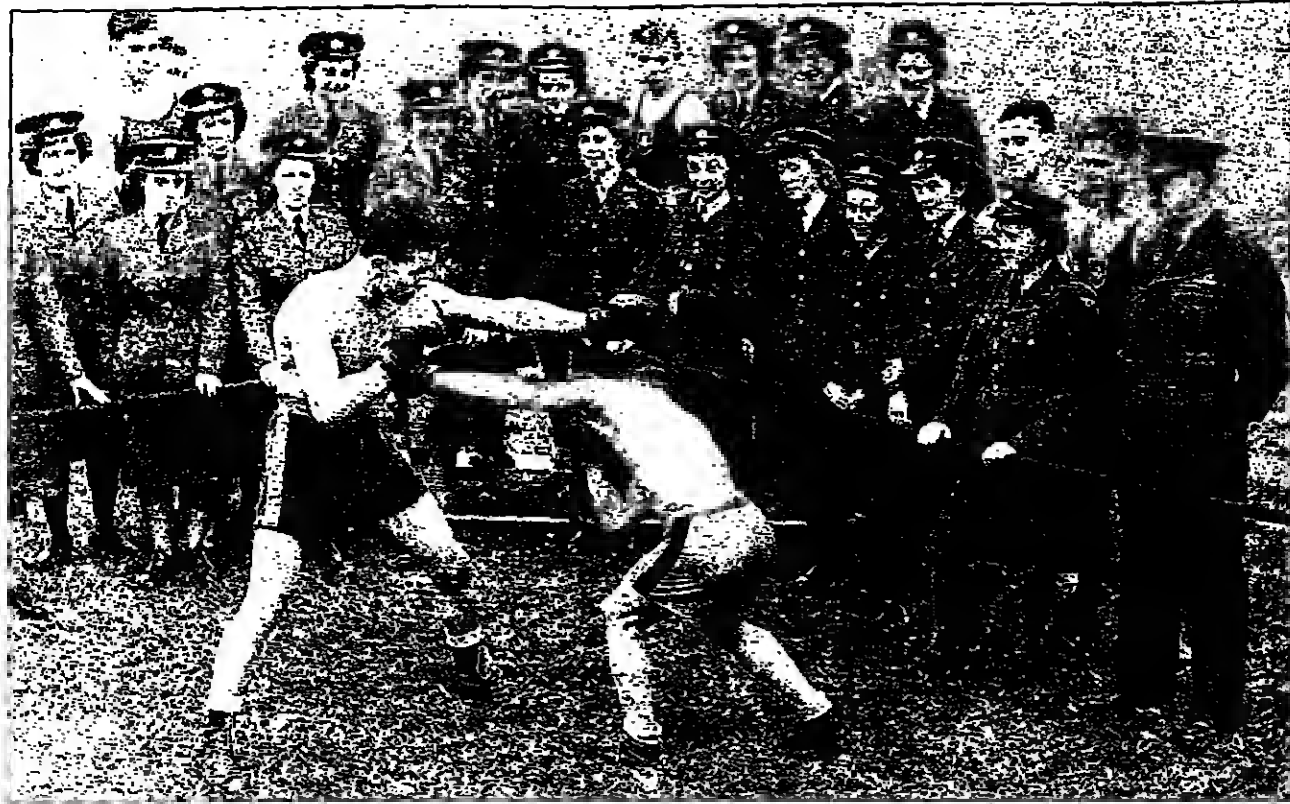
Mr Walker has never been able to shrug off his boxing tag. To newspapers hailing his 1974 stockmarket debut, he was "the boxer from the fish market", the Stepney-born son of a brewer's drayman who went on to manage the career of his brother Billy, "the Blond Bomber", after an eye injury forced him out of the ring.

Ten years later, he was collaborating with Buckingham Palace on the making of *Mountbatten: The Last Viceroy*, a made-for-television series. Earlier films such as *The Stud* and *The Bitch* had worked wonders for Joan Collins and thrust Mr Walker into the league of big-time film-making.

A darker side to Mr Walker's early life was revealed in 1988, at the height of his corporate fame, when it emerged that he had served a jail sentence more than 30 years earlier for his part in a warehouse robbery at London's Royal Victoria Dock.

A former dock worker was later to recall: "They say it took a lot of policemen to apprehend George. Coppers were being knocked all over the place before he finally gave up." The episode put an end to a shadowy spell as "minder" for Billy Hill, an East End gangland king.

Mr Walker never tried to gloss over his past, writing off his clash with the law as the "foolish" actions of a young lad. He was rescued, as it were, by his wife-to-be, Jean Hatton, the daughter of a garage owner in Canning Town. Working from a room



George Walker, right, was always larger than life, starting as a boxer, top, in black shorts; and later with his brother Billy and the boxing promoter Harry Levene



BIOGRAPHY

- Born 1929 in Stepney, east London. Worked as Billingsgate porter.
- Won ABA title in 1951. After injury, managed boxing career of brother Billy. Invested winnings in taxis, lorries and petrol stations, expanding into entertainment.
- Took control of Hackney and Hendon greyhounds in 1974 and created Brent Walker. Developed Brent Cross shopping centre in north London. Sold centre for £5 million profit.
- Expanded fast in 1980s, culminating in £685 million purchase of William Hill in 1989.
- Troubles started in 1990. Sought £160 million rebate on William Hill deal.
- Stepped down as chairman of Brent Walker in January 1991. Ousted from the board.
- Arrested and charged with theft in 1993. Declared bankrupt.

over a garage in West Ham, he spent the 1960s developing a stunningly diverse group of businesses, cashing in on his brother's success in the ring with Punch Petrol and a fast-food chain, Billy's Baked Potato. Hotels, betting shops, pubs and nightclubs were to follow.

The room in the East End gave way to a string of fashionable properties. The family home is a 15th century former rectory in the village of Fobbing, Essex. Mr Walker's London pied-à-terre was a £500,000 penthouse in Pall Mall; a convenient retreat until the banks forced him to give it up in 1991.

He was to strike an uneasy alliance with the City's blue-blooded merchant bankers and stockbrokers. "There is

certainly a resistance that you feel — that I feel — from the old guard," he once said. "You know: ex-professional fighter. East End, left school at 14, what the bloody hell's he doing here? Must be crooked. Yet many successful businessmen come from backgrounds identical to my own."

Mr Walker has long been concerned with keeping in shape. His boxing injuries left him with a hearing defect and permanent double vision in his left eye. He compensated by keeping in trim, swimming at the RAC Club in central London and working out each morning. He climbed the Mattherhorn when he was 50.

A sense of his energy and presence flooded the courtroom during the four-and-a-

half month trial. During the late 1980s, he told an interviewer how he would release the stress of running the Brent Walker empire. "If I feel really uptight in the office, I close the door and roar like a lion," he said. "It always does the trick."

There was another side to the tough, streetwise image. He confessed in the same interview to having his nails manicured — "a lot of people think it's effeminate, but that's rubbish" — and revealed how, on a typical break, he "slept a lot", listened to Wagner and Louis Armstrong, read Wilbur Smith and played cribbage.

Mr Walker's social standing soared in 1989 when his daughter, Sarah, married the Marquess of Milford Haven,

a distant heir to the throne. Mr Walker bought her a £1 million home in London's Onslow Square and sponsored the marquis's polo team to the tune of £35,000 a year. Sarah remains a favourite. Mr Walker used to tell business associates of the time Sarah was pestered by an admirer in a crowded bar: she knocked him out.

Mr Walker was ever the family man. He and his wife and three children, Sarah, Jason and Rowla, were often seen strolling around Brighton Marina, perhaps the ultimate symbol of Brent Walker's ambition. Mr Walker pictured an English *Côte d'Azur*, resplendent with luxury yachts, fine hotels and starlets sunning themselves

by the water's edge. Others saw only a glorified housing estate, hemmed in by a drab concrete breakwater and bordered by a multi-storey carpark. It was joked that ships in distress would sooner sink than put in there.

Everyone has a story about George Walker. During his trial, a picture emerged of the ideas man, carried away by his enthusiasm for grand schemes, and leaving mundane paperwork to the "lieutenants" who ran the various Brent Walker divisions. Others laugh scornfully at the description of a man with no eye for detail. Nothing, they say, escaped his attention.

One former adviser describes Mr Walker as "totally endearing, amazingly hon-

est, very generous, very kind. He was a big, decent, warm man". Another recalls walking backwards round Mr Walker's desk while the enraged boxer threw punches at him.

Mr Walker often spoke of the fear of failure that drove him on. "Anyone who has been poor must have that fear still and it stays with you all the time," he once said. "It's the boxing again. When you are down and you hear the count — six, seven, eight — you tell yourself you're not prepared to lose this fight. I have to get up and still win."

Yesterday, he did just that.

Walker cleared, page 1
Sedock for SFO, page 25
Pennington, page 27

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Lang Kidby, left, and Peter McMillan celebrate

Success as Vimy replica arrives safely in Darwin

By MARIANNE CURPHEY

TWO pilots in a replica Vimy aircraft have landed safely in Darwin after a seven-hour flight from Kupang, Timor. It was the final leg of an adventure that successfully recreated the first flight from England to Australia 75 years ago.

Despite crash-landing in Sumatra and battling during their 40-day and 11,250-mile journey against constant headwinds and thunderstorms, Lang Kidby, 47, an Australian, and his 35-year-old American co-pilot, Peter McMillan, were unscathed.

The pair left Rumbourough air show on September 11 to re-enact the flight pioneered by the Australian brothers Ross and Keith Smith in 1919. The original 28-day flight was 14 days quicker and Mr Kidby and Mr McMillan blamed bureaucratic time-wasting for holding them up.

Mr Kidby and Mr McMillan's journey, past Alpine peaks and deserts, almost came to an end when they crash-landed in a paddy field in Sumatra. As their aircraft spluttered to a halt in what they thought was a deserted spot, 300 machete-wielding villagers appeared. "None of them had seen an aircraft before," said Mr

KEENE on CHESS

By RAYMOND KEENE
CHESS CORRESPONDENT

Polgar shines

AFTER eight rounds of the Sicilian Defence theme tournament in Buenos Aires, the Russian grandmaster Valery Salov holds the lead with six points.

However, the honour of having played the most brilliant game so far belongs to Judith Polgar of Hungary who overwhelmed the Latvian grandmaster Alexei Shirov with a stunning sequence of sacrifices.

White: Alexei Shirov
Black: Judith Polgar
Buenos Aires, October 1994

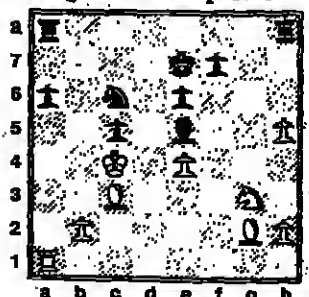
Sicilian Defence

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|----|------|------|
| 1 | e4 | c5 |
| 2 | Nf3 | e6 |
| 3 | d4 | cxd4 |
| 4 | Nxd4 | Nc6 |
| 5 | Nc3 | d5 |
| 6 | g4 | Nb7 |
| 7 | Ne3 | d6 |
| 8 | Nf3 | Bb7 |
| 9 | h4 | g5 |
| 10 | Qf3 | Ne5 |
| 11 | Qg2 | h5 |
| 12 | Qe2 | h4 |
| 13 | Ne2 | h5 |
| 14 | g4h5 | Qg5 |
| 15 | Bf2 | Nc5 |
| 16 | Nf3 | Ne3 |
| 17 | Qg3 | Qc3 |
| 18 | Neg3 | Nb2+ |
| 19 | Kd1 | Nb1 |
| 20 | Nb7 | b3 |
| 21 | axb3 | Nxb3 |
| 22 | Kc2 | Nc5 |
| 23 | Nc5 | dx5 |

- | | | |
|----|-----|-----|
| 24 | Bc1 | N3 |
| 25 | Bc3 | N4+ |
| 26 | Kg3 | Bb6 |
| 27 | Bg2 | Bc5 |
| 28 | Kd4 | Kc7 |
| 29 | Rat | Nc5 |

White resigns

Diagram of final position



Two important variations must be pointed out. If White captures the black queen with 16 Qxg5 then 16... Nc3+ regains the queen with an immense advantage. Furthermore if White captures the black queen on move 17 with 17 Qxg5 then 17... N3 leads to a spectacular checkmate, with White's king boxed in by the black knight duo.

Richmond results

Results from the first round of the Richmond Chess Initiative were: Berg (Denmark) v Agnos (Eng) 1-0, McShane (Eng) v Hinks-Edwards (Eng) 0-1, Dinsdale (Ger) v Hennig (Ger) draw, Wall (Eng) v Bates (Eng) 0-1, Summerscale (Eng) v Rowson (Sco) 0-1.

Winning move, page 48

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مكتبة الأصل

Welfare: Labour presented with reforms based on a hand-up rather than a handout

Commission offers tonic for 'tired, run-down country'

By JILL SHERMAN, POLITICAL CORRESPONDENT

THE Commission on Social Justice set up by the late John Smith presented a blueprint for welfare reform yesterday, with proposals to transform Britain's tax and benefit system and help the jobless into work.

Launching the long-awaited report, Sir Gordon Borrie, the chairman of the commission, said the changes represented the "biggest shake-up in welfare for 50 years". The Social Justice Commission was set up two years ago by the former Labour leader, to "think the unthinkable".

The report, *Strategies for National Renewal*, includes a ambitious proposals such as taxing child benefit for high earners, a part-time workers' benefit, and wage subsidies for employers taking on the long-term jobless.

Sir Gordon said the document, which touches on education, health and employment as well as recommending big changes to the benefit system, was a "rethink" rather than a "repackaging" of the 1940s Beveridge model. It offered a "hand-up rather than a hand-out", he said.

While he insisted that the 15-year strategy for reform was self-financing, the report contains a number of measures which would need pump-priming. However, it makes clear that previous Labour pledges including across-the-board increases for state pensions are unaffordable, and child benefit rises could only be funded out of tax changes.

Sir Gordon emphasised that the programme was not Labour policy and was not a manifesto for one Parliament. "Ours is our own independent, hard-headed plan for a new century," he said. "It is designed to help build the radical consensus for change that this country so badly needs," he added.

Mr Smith appointed Sir Gordon, the former director-

THE MAIN POINTS

- Taxing child benefit for high earners and abolishing married couples' allowance
- Minimum pension guarantee
- National minimum wage to be set at realistic level
- New benefit for part-time workers
- Wage subsidies to encourage employment of the long-term jobless
- Phasing out of mortgage interest relief combined with extension of housing benefit to home owners
- Citizens' Service: a national voluntary community service for 16 to 25-year-olds
- Nursery education for all 3 and 4-year-olds. Expansion of childcare
- Graduates to contribute to cost of university education
- Tougher employment rules for single parents on benefits

general of the Office of Fair Trading, to head an independent inquiry, with a team of 16 commissioners, who included two Liberal Democrats, to produce policy proposals.

Sir Gordon said the commission was united in its feeling that Britain did not have to be the "tired, cynical and run-down country it is today".

One in five people were now on benefit and the gap between the highest and the lowest paid was greater than at any time since 1886. One in seven 21-year-olds had problems with basic reading and crime was Britain's fourth largest industry.

"As a country we are three times richer than we were in 1950, but we are not three times happier as a society."

The commission's programme showed how economic and social renewal had to be used to bridge the gap between potential and performance. However, hinting at some disagreements between the commissioners, he added: "Change will only come if we replace the old slogans of Left and Right with a new agenda adequate for the changing world in which we live."

The priority was to get

people off benefit into work, Sir Gordon said. Reforms of the benefit system were essential to remove poverty traps which stopped people taking on work. A minimum wage should be introduced "that does not cost jobs but does attack the cost of subsidising exploitation pay"; the social insurance system needed to be modernised by creating a part-time benefit; and there should be more investment in childcare and nursery education and higher child benefit for most children.

Sir Gordon said it was important "to hit the bullseye" on higher education funding, by asking students to contribute to their education, and that parents had strong social responsibilities.

The report suggests phasing out mortgage tax relief but giving poorer home-owners more help through housing benefit. It also advocates setting up a citizens' service of young community volunteers.

"The children born today will be 16 in 2010," Sir Gordon said. "This report is about the country we bequeath to those children. It could hardly have addressed a more important agenda."

Sarah Baxter, page 18
Leading article, page 19



Sir Gordon at the conference yesterday where he presented the commission's report

Applause muted by practical problems ahead

By JANET BUSH, ECONOMICS CORRESPONDENT

THE Commission on Social Justice's report marks a radical departure from old Labour Party policies of tax and spend. It appears to use the working assumption that anything involving big increases in taxation is no longer acceptable.

The proposal to tax child benefit for high earners, the concentration of state pension provision on the poor, and even the statement that those who can afford it should pay for their own childcare, moves Labour away from benefit universality and towards "targeting" or "means testing".

There is little attempt to cost the many proposals contained in the document. However, an initial reading of the report yesterday brought qualified approval that the proposals would be largely self-financing. Andrew Dilnot, director of the Institute for Fiscal Studies, said that the report was "realistic" and that, whatever the short-term costs, it would be possible to introduce the measures suggested over a period of 10 to 15 years "without significant changes in tax rates".

Mr Dilnot was particularly in favour of the approach taken on pensions, which flies in the face of Labour's 1992 election pledge to improve basic state pensions and then uprate them in line with earnings. In contrast, the commission has accepted that the value of the state pension will continue to decline significantly and that the money available from this source will have to be concentrated on the poor elderly — a prime example of means testing.

Others — including employers and those in work — will more or less be required to contribute to an extended State Earnings Related Pensions Scheme and/or private pensions. The report says that every employee or self-employed person would belong to a second pension scheme of their choice.

"This comes quite close to the thinking of both the Government and independent voices

concerned with the rising burden of care for the elderly in both industrialised and developing countries.

There are three areas of the report that could provoke criticism on cost grounds. The first is the provision of universal nursery education, which would be expensive but, because John Major has mooted the idea too, is unlikely to become a cost/benefit political football.

The second is the minimum wage. The commission claims that introducing a minimum wage of £3.50 would save the Government £1.3 billion to £1.6 billion in revenues, taking benefits into account. These figures were regarded as fairly incredible by independent observers, including the IPS, who said it is exceedingly difficult to quantify revenue savings on one hand and job losses on the other.

The third difficult area is the proposal to give part-time workers a subsidy. The potential employment gains are broadly agreed. The major problem is how to introduce a subsidy for workers re-entering the labour force while avoiding paying subsidies to the growing army of people already in part-time jobs.

Doug McWilliams, director of the Centre for Economics and Business Research, said that it was hard to imagine setting the minimum wage at a low enough level to generate revenue as well as have a noticeable effect on the labour market.

On pensions, he applauded the move towards more private provision but warned that the cost of moving from the current system to a new one would not be without cost. His judgment on subsidies for part-time workers is that, unless it is hedged around with restrictions, it could prove very expensive.

Overall, he said: "This report is a mish-mash of quite a lot of good ideas with significant practical problems."

Taxing top earners to save £300m

ONE of the most controversial ideas in the report is to tax child benefit for high earners in pay for an overall increase in the benefit. The report comes down heavily in favour of retaining the universal benefit but argues that it could be targeted more effectively by taxing it.

"Child benefit remains the fairest and most efficient way of recognising the extra responsibilities borne by all parents," it says.

The commission has calculated that £300 million can be saved by taxing existing top-rate payers, which would fund a 60p increase in the universal

CHILD BENEFIT

benefit. However, the report suggests that the benefit, now £10.20 for the first child, and £8.25 for subsequent children, could be raised by £5 if the married couples allowance were abolished for all those under 55, which would raise £2.5 billion.

It also suggests that the rate should be the same for all children. The present higher rate for first children discriminates against larger families which are at a greatest risk of poverty."

The commissioners were divided on the best way of helping families with children. Some argued it would be better to use all the savings from the abolition of the married couples allowance to fund a £5 increase in benefit. Others argued that if less than half the savings were used to fund nursery education, the balance would still fund a higher child benefit.

The commission favours taxing both higher-rate fathers and mothers. Under the scheme 40 per cent of the present higher rate of benefit would be withdrawn from the best-off families.

Richest should pay 50%

TAX

THE Borrie report indicates that a maximum tax band of 50 per cent could be levied for those earning over £100,000.

It suggests that revenue for programmes or tax cuts for the poor could be funded with a top rate of tax for high earners without damaging competitiveness. It says that the new tax rate should be for those on about five times average earnings, affecting no more than 2 per cent of earners, and that it should be no higher than 50 per cent, including national insurance contributions.

The report also addresses the "unfairness" of people paying income tax on very low incomes, suggesting that people could be taken out of tax by increasing personal allowances more rapidly than earnings. There could instead be a starting tax rate of 10 per cent, although this would not benefit the very poor as much.

The commission recommends that the exemption of agricultural and business property from inheritance tax should be ended, and taxing substantial gifts, except those between husband and wife.

Long-term jobless need wage subsidies

EDUCATION

THE commission's most ambitious proposals concern getting people off benefit and into work. While it supports the principle of full employment, it makes clear that in future this will be part-time work and short-term contracts.

It backs a new part-time benefit which allows those working only a few hours a week to retain a proportion of their unemployment benefit. It also supports a new jobs, education and training programme to get rid of long-term unemployment.

Under the scheme, employers would be given wage subsidies to take on those who had been out of work for over 12 months. The subsidy could be 80 per cent of the value of unemployment benefit, but the commission points out that the state would recoup the benefit that would have been paid out: most people who are unemployed for 12 months stay out of the job market for a further 20 months.

Critics argue that such a scheme would be open to exploitation as employers could take on cheap labour and sack existing staff.

The report suggests a tough approach towards single mothers to ensure that they

enter the job market. In future, all lone parents with children over five would be required to make themselves available for work.

In addition it suggests that 3 million low paid people, including part-time workers and the self-employed, should be brought into the social insurance system. All those who work over eight hours should be members, if necessary paying zero contributions if they are on very low incomes.

The report also floats the idea that those paying higher contribution could get higher benefits.

It firmly backs a minimum wage, although it does not put a figure on the level. Nevertheless, it cites a report suggesting that if the weekly wage is kept at about £3.50 it would not result in job losses. Trade unions are pressing for a level equal to half the male median wage, about £4.05 an hour.

It proposes minimum legal rights for employees, arguing that they should be protected against unfair dismissal and redundancy after having been in work for six months rather than two years, as at present.

Graduates could pay 20% of fees

EDUCATION

THE commission's proposal to ask graduates to contribute to the costs of their university education to raise £1.5 billion a year will also prove contentious. Graduates would be expected to repay maintenance payments and 20 per cent of tuition fees. The payments would be based on post-graduation income, lasting only until repayment had been made.

The commission suggests three options: a monthly payment by all who reach a certain income, possible 85 per cent of the average income; a surcharge on National Insurance until the repayment has been made; a rising surcharge on National Insurance only applying to those who reach a certain earnings level.

The commission also calls for nursery school education for all three and four-year-olds, at a cost of between £800 million and £1 billion.


However, it makes clear that some of the costs would be shouldered by the private sector and higher earners would have to pay.

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Poor would gain from supplementary rate

THE report calls for a new Pensions Guarantee, at least £5 higher than the present rate, to supplement the basic state pension as part of a package of reforms designed to help poorer groups, but to reduce means testing.

The new minimum income, involving the integration of tax and benefits, should raise pensioners' incomes above today's basic rates of both state pensions and income support, says the commission. It also suggests that it should rise faster than prices to prevent it losing its value. The basic retirement pension is now £57.60 while the basic rate for the means-tested income support is £63.95, £5 higher.

However, when pressed on the issue, Sir Gordon Borrie said it would be a matter for the Government what rate it

should be. It would also be up to the Government to decide whether the state pension should rise in line with prices or earnings, or neither.

Everyone reaching pension age would claim retirement pension in the usual way. All their pensions — basic, Serps and any occupational or personal pension — would be added together. If this fell below the pension guarantee it would be topped up.

The commission also proposes a universal second pension. Every employee or self-employed person would have to make a minimum contribution to a second pension of their choice, either private or state, which would be matched by their employers.

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Workfare: Ministers adopt US-style scheme to replace 'something for nothing' benefits

Jobcentre staff get new powers over claimants

By NICHOLAS WOOD, CHIEF POLITICAL CORRESPONDENT

THE Government yesterday put the principle of workfare at the heart of its approach to tackling long-term unemployment.

Ministers announced the biggest changes to the employment elements of the welfare state for more than 80 years. Although they are not setting up a blanket workfare scheme of the kind tried in some parts of America, they are breaking new ground by insisting on an end to "something for nothing" welfare payments.

Jobcentre staff are to have powers to order benefit claimants to do community work or attend courses aimed at making them more attractive to employers. For the first time, long-term unemployed people who refuse to comply with the instructions face losing all their benefit for up to four weeks.

The new "carrot and stick" approach, making payment of welfare benefits conditional on claimants making a determined effort to find a job, is set out in a new White Paper, *Jobseeker's Allowance*, published yesterday by Michael Portillo, the Employment Secretary, and Peter Lilley, the Social Security Secretary.

The new allowance (JSA) replaces the combination of unemployment benefit (UB) and income support to create a single benefit obtainable at a single place — the jobcentre. JSA will be paid at the same rate as income support.

Under the present regime, a married man with two young children receiving UB gets £91.95 a week. This money is not means-tested, so if he also has savings of £20,000 his weekly payments are unaffected. After 12 months, he goes onto income support and, with this level of savings, loses his entitlement to benefits. Under

- New jobseeker's allowance to replace unemployment benefit and income support
- Non-means-tested allowance to be paid for 5 rather than 12 months
- Compulsory jobseeker's agreement to replace voluntary arrangements
- Temporary total loss of benefit for those in breach of agreement
- Benefit to be withheld if claimants sabotage their job chances
- Claimants may be ordered to polish job-hunting skills or do community work
- Bonuses of up to £1,000 for those moving from part-time to full-time work
- Claimants' partners can work more hours before benefits cut

the new approach, he would receive £94.60 a week for just six months. After that means-testing will apply and benefits could be cut or withdrawn.

The streamlining of the benefits system for the unemployed coincides with a sharp tightening of the eligibility rules. The bedrock of the new approach will be the jobseeker's agreement, which will have to be signed by all claimants, who will have to abide by stricter rules governing their availability for work. In return the Employment Service will draw up an individually tailored programme for helping them to find a job.

The White Paper says the State should provide speedy financial help to those who lose their jobs. "But it is also right in a modern society that the unemployed person should undertake a direct and active role in getting back to work."

"The benefit system should thus offer strong encouragement to recipients to participate actively in the labour market by searching for work or improving their chances of

getting jobs in return for their benefits... The new jobseeker's allowance... will be a means of support while an unemployed person looks for work, not an income for a lifestyle divorced from work."

To qualify for the JSA, claimants will be to show that they are actively seeking work. But simply applying for jobs will not be enough. They will also have to demonstrate that they are doing all they can to make themselves more attractive to employers by, for instance, improving their CVs and interview skills.

The powers of jobcentre staff will be strengthened. They will be able to issue a "jobseeker's direction" to order claimants "to improve their employability" through, for example, a course to improve job-seeking skills. Where appropriate someone out of work for a year could be told to join a community action programme.

At present, those who defy the Employment Service face the loss of up to 40 per cent of their benefit. Under the JSA, those who break the rules could lose all their benefits for up to four weeks, although there will be provision for hardship payments.

The carrots are a range of incentive payments designed to encourage people to move off benefit into work and to minimise the "unemployment trap" that can leave some people better off on the dole.

New ones include the "back to work bonus" under which people claiming benefit but doing part-time work will no longer lose as much of their benefits and will be able to build up credits towards a payment of up to £1,000 on taking a full-time job.

Leading article, page 19

MP hails success of long campaign

By ANDREW PIERCE

THE Government's shift towards workfare is a victory for the Thatcherite Tory MP Sir Ralph Howell.

Sir Ralph outlined proposals for a system of workfare in a paper to the right-wing Adam Smith Institute in 1985. He has been lobbying for it ever since. Margaret Thatcher was a keen supporter.

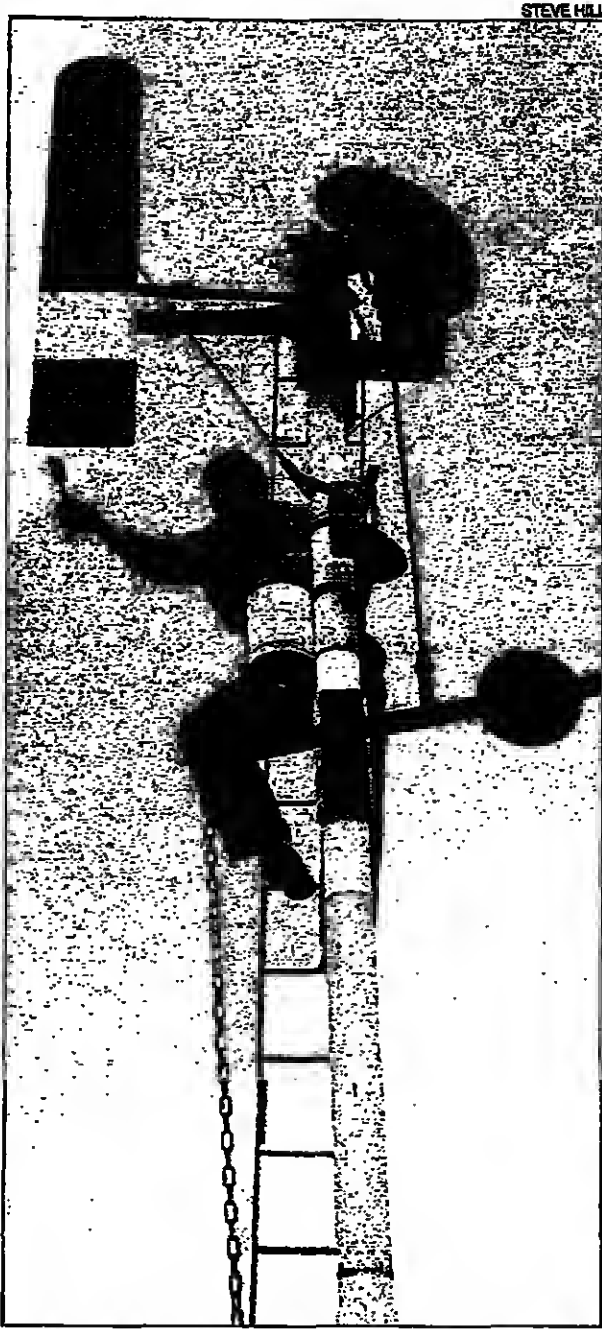
But it took until May 1993 for Sir Ralph to persuade the Government to give it a try. An 18-month pilot project in his Norfolk North constituency disappointed him, but he hopes that the national scheme announced yesterday will be more successful.

With 2,300 people on the local unemployment register, only 68 people took up the 100 places on offer and 16 of them subsequently moved into full-time employment. Unlike American schemes, the Norfolk scheme was voluntary.

The north Norfolk scheme was set up with government grants of £750,000. People who had been unemployed for at least six months were paid £10 a week on top of their usual benefits in return for 22 hours of community-based work. They also had to spend a further six hours actively looking for jobs. Present projects include the preservation of the Norfolk Broads and the restoration of the North Norfolk Railway.

Sir Ralph would have preferred a £100 flat fee replacing all benefits, and financial penalties for those refusing to participate. Instead he was given a watered-down version with no element of compulsion. The long-term unemployed are merely offered a place on the scheme as an option through two local jobcentres.

Sir Ralph said last night: "We are making progress. But when I asked for work-



A volunteer on the workfare-style scheme in Norfolk. Sir Ralph wanted participation to be compulsory

fare in Norfolk I never got it. There is no compulsion and they are not real jobs.

"It's all very well getting people to work for non-profit-making bodies. Not only does it not move them into the real commercial world, they are simply not interested in doing that sort of work."

A real success of the north Norfolk scheme had lain in

the fact that when 78 people on the local unemployment register had been invited to participate in the workfare scheme they simply vanished from the register.

"I think it has a lot going for it," said Sir Ralph. "If it was workfare with teeth the unemployment situation would have been transformed overnight."

Labour still short of magic solution

By PETER RIDDELL

WE ARE all welfare reformers now. Both main parties are in competition as to which is more willing to rethink post-war assumptions about the welfare state. On the day that the Social Justice Commission produced its 418-page report on a post-Beveridge approach, Peter Lilley claimed he had launched the debate with his Maitland lecture last year.

That is why comparisons with the original Beveridge report 50 years ago are misleading. Lord Beveridge could not have envisaged the development of a comprehensive welfare state as slaying the dragons of Want, Disease, Idleness, Ignorance and Squalor. But the situation is different now. It is less a matter of creation than modification. The post-war model has changed, and is changing. Sir Norman Fowler's review of social security in the mid-1980s was neither the first nor the last to be billed as the most important since Beveridge.

There are three basic problems: how to afford universal provision without an unacceptable rise in taxes, how to alleviate core poverty and how to reduce a high level of long-term unemployment.

The Government's answer has been gradualist: chipping away at entitlements and targeting benefits at those most in need; shifting more provision, particularly of pensions, to the private sector; and reducing disincentives to work. That has gradually shifted the focus of debate, as Mr Lilley claimed yesterday, so that what was once regarded as unacceptable is now widely accepted. Yesterday, Donald Dewar avoided a blanket denunciation of the Jobseeker's Allowance and was a model of Presbyterian rectitude in stressing how those seeking benefits had duties and responsibilities.

Labour's problem has been to catch up with this shift in policy thinking. Its main response to government initiatives since 1979 has been

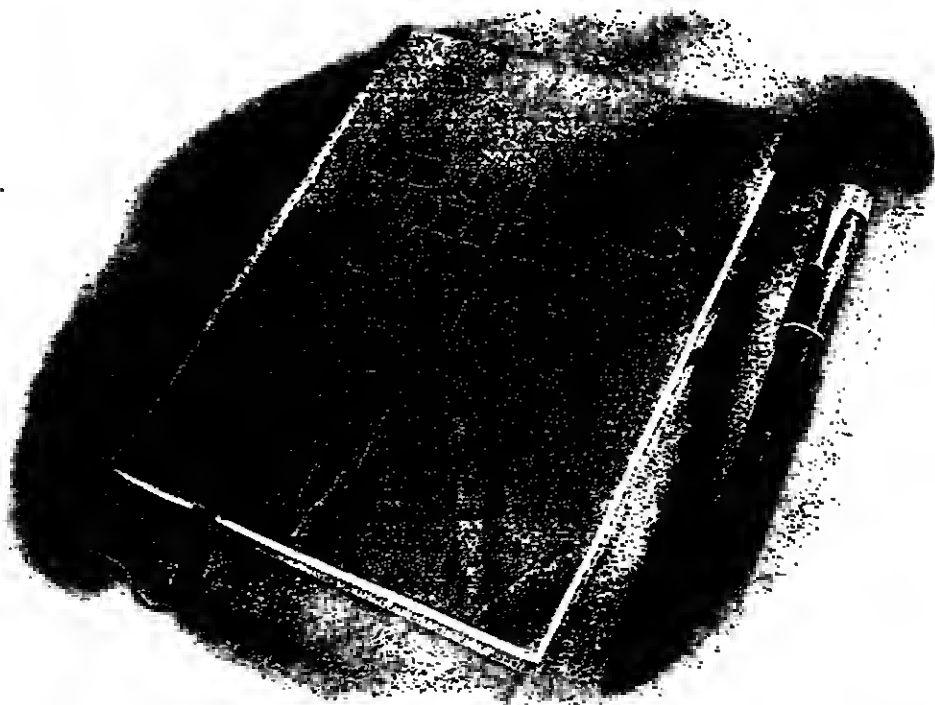
negative, to deplore then to promise more spending on benefits. That has sounded unconvincing and the consequent proposals for tax rises have lost Labour votes, as occurred again in 1992.

The Social Justice Commission was set up to find a way out of this dilemma. The report offers a lucid analysis of seismic changes in the labour market and offers a distinction between three different approaches — the Deregulators (the post-1979 Tory policy), the Levellers (the traditional Labour Left) and what is appealingly described as the Investors (its favoured strategy to boost employment and reduce poverty).

The report then branches out to cover almost every aspect of the welfare state. There are some interesting ideas on pensions and citizen's service. But many proposals would also cost money in the short term. This explains why the Labour leadership was so keen to distance itself from any specific commitments, so that the Tories could not claim Labour was committed to them. Tony Blair's welcome was guarded: "Commissions write reports. Parties write manifestoes." Mr Blair left open whether Labour would again promise across-the-board increases in key benefits.

The Social Justice Commission will have served its purpose if it frees Labour from past constraints and provides an intellectually respectable case for welfare reform. But the report has not shown how the party can recede its commitment to help the less well-off with its desire to shed its "tax and spend" image. There is no magic solution for Mr Dewar and Gordon Brown as they develop Labour policy. Mr Blair's claim that "the left of centre is coming to dominate the battle of ideas" is still premature.

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Crippled sea diver accuses fisherman

By JOHN YOUNG

AN amateur diver was crippled for life after being dragged violently upwards when the dinghy to which he was attached was taken in tow by a fishing boat, the High Court was told yesterday.

Adrian Aptin of Dunstable, Bedfordshire, is claiming damages for negligence against Nigel Sheeran, the owner of the fishing vessel. His claim alleges that as a result of being dragged to the surface he suffered decompression sickness leading to paraplegia.

Michael Kent, for Mr Aptin, said the incident took place on July 5, 1987, when he and his father-in-law Robert Whitehead were diving off Portland Bill, Dorset. Mr Aptin had four years' diving experience.

Asked by Mr Justice French what the purpose of the dive was, Mr Kent replied that the two men were searching for wrecks. They were not looking for wrecks, Mr Aptin's case was that their dinghy was about 100 yards offshore when they began the dive. The weather was not particularly severe.

The dinghy had a 120ft anchor warp to which a weight was attached. Both men would then dive down using the rope as a guide. The dive began about 11.15am and they descended to a depth of about 100 feet. When their gauges showed them their time was nearly up, they began the ascent.

"They ascended slowly, adopting the rule of thumb that you don't ascend faster than the stream of exhaled bubbles issuing from the mask," Mr Kent said.

Mr Aptin was at a depth of about 40ft when he was dragged up violently by his weight belt, which was attached to the rope, and then for some way along the surface.

He tried to release himself but could not get his fingers under the buckle because of the pressure. He had to use his knife, reach behind him and

cut the belt. "All that time he was being dragged through the water at speed and it was as a result of the sudden ascent that the plaintiff will say he suffered his decompression sickness," Mr Kent said.

After the towline had been released Mr Sheeran approached the two divers and there was a brief exchange of words. He did not remain on the scene for long before heading off to berth in Portland harbour. Mr Aptin managed to swim to the dinghy but had been unable to get into it unassisted. He later lost any feeling in his legs and was able only to lie in the bottom of the dinghy.

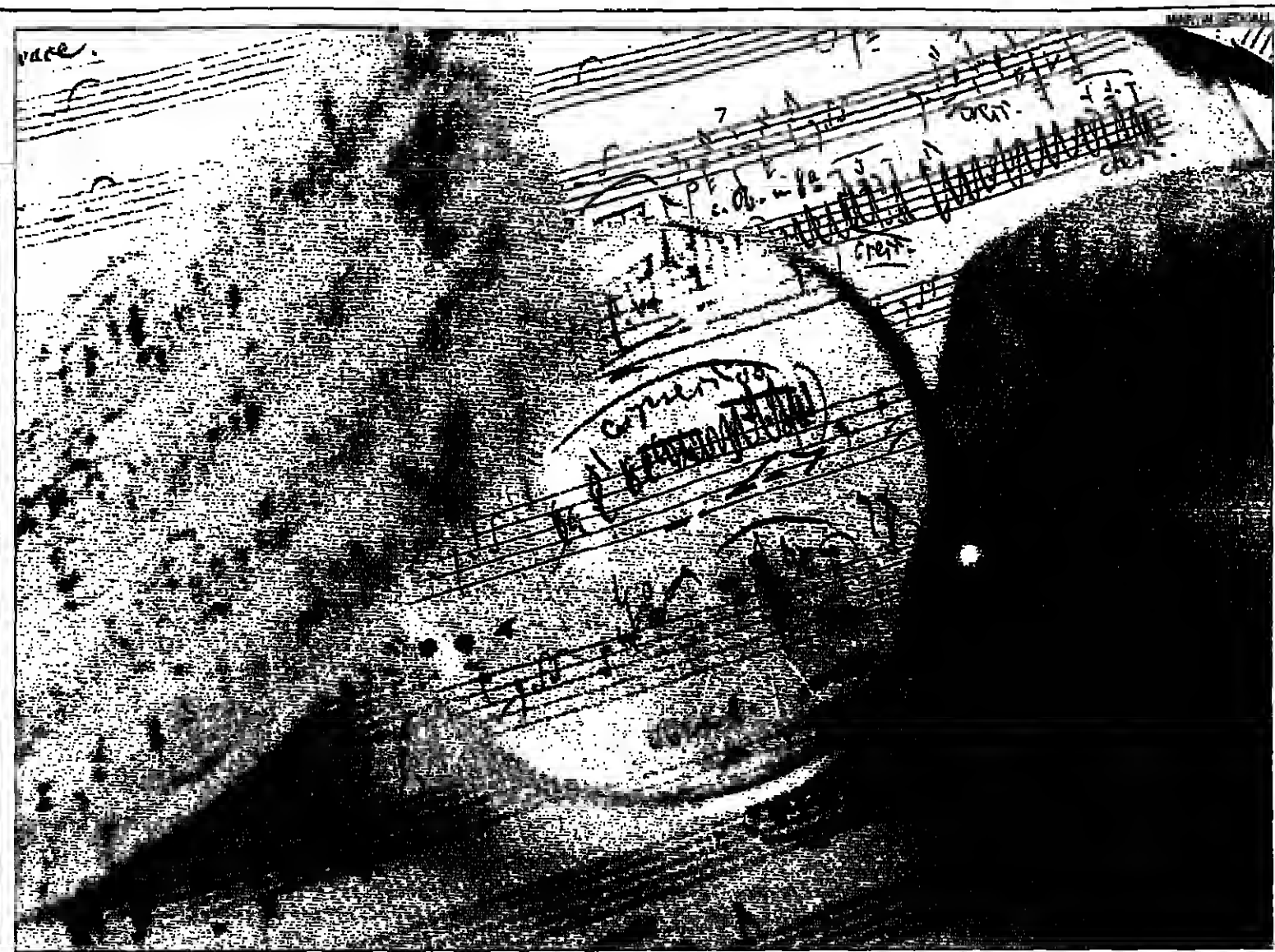
Mr Whitehead was able to reach the coastguard by radio, but the fisherman had failed to alert the coastguard, thereby increasing the delay before Mr Aptin could be taken to a decompression chamber in Portsmouth. He was eventually flown by helicopter to the chamber, in which he spent 51 hours.

Mr Sheeran, having become aware that he had hoisted a diver out of the sea, should have thought of the possibility that some injury might have been sustained, Mr Kent said.

"It should have been obvious that it was not a dinghy that had simply broken away from its moorings," Mr Kent said. "It was a diver's dinghy and most importantly there was a rope leading down into the water."

Mr Aptin conceded that he and Mr Whitehead had failed to display the international code flag A, which was the recognised signal to show when diving was taking place. He also conceded that he should not have tied his belt to the rope but he did not concede that that amounted to negligence.

Mr Kent told the court that uncontrolled decompression had produced a gas embolism affecting the spine and leading to complete paraplegia. The case continues.



A page of the Schumann manuscript showing some of the composer's revisions, deletions and scratchings-out that will intrigue scholars

Schumann's key score is discovered

By DALYA ALBERGE, ARTS CORRESPONDENT

THE heavily annotated manuscript of Schumann's second symphony, long assumed to have been lost or destroyed, has been found in a private collection. One of the most important music manuscripts to come to the market since the war, it will be sold by Sotheby's on December 1.

The document, estimated to fetch at least £800,000, is the only complete manuscript of a major Romantic symphony that is ever likely to appear at auction. Stephen Roe, head of Sotheby's books and manuscripts department, said: "As far as we can tell, all those by Brahms, Bruckner and Beethoven are accounted for."

Until the discovery of the manuscript, the work had been known only from the first printed edition and a few sketches. Apart from its central position in the modern orchestral repertoire, the second symphony in C Major, Opus 61, was much admired by masters such as Brahms and Tchaikovsky. To their ears, it was one of Schumann's greatest works, and their own symphonic work reflects that admiration.

Today's scholars see it as one of the most important links between Beethoven and Brahms.

The score is covered with layers of working and reworking. Revisions, deletions and scratchings-out in ink, pencil and crayon will offer scholars and performers a rare insight into Schumann's creative process.

The manuscript is covered in comments intended for both the printers and performers. There are, for example, instructions on bowing, which the printer for some reason omitted from the printed edition, and sections showing how the composer agonized over which instruments should play certain passages. Where his markings were particularly untidy or illegible, sections appear in the neater hand of Schumann's copyist, but those are also covered with corrections by the master himself.

Some of the heaviest revisions are in the third movement, which reflect the composer's relative unease with orchestration. As Dr Roe noted, Schumann was primarily a pianist, and writing for the orchestra did not



Schumann (1810-56): work was admired by Brahms

come easily to him. Dr Roe observed that to finish the orchestral texture at the opening of the adagio, Schumann deleted the woodwind doblings as a second thought.

The manuscript, in its original binding, dates from 1845-46, about a decade before Schumann attempted suicide and was committed to an

asylum. An aural nerve disorder caused a continual ringing in his ears. Dr Roe pointed to autobiographical references in various passages of the work, quoting from a letter from Schumann: "I wrote the symphony in December 1845, while I was still unwell; it seems to me that one must sense this when hearing it."

The score is inscribed by Clara Schumann, his wife, to Julius Rietz, who conducted the symphony on December 6, 1855. Brahms was sitting in the audience. The work's premiere was given in 1846 with Mendelssohn conducting the Leipzig Gewandhaus Orchestra. Many of the revisions scribbled on the manuscript were inspired by that first performance. The sellers are remaining anonymous.

□ Jane Austen first editions were in strong demand with *Sense and Sensibility* and *Pride and Prejudice* each making £6,380, almost double their estimate, at Bloomsbury book auctions, London. *Mansfield Park* made £4,620 and *Emma* £4,180, both above expectation. Her final novels, *Northanger Abbey* and *Persuasion*, sold as one lot, making £3,080.

Murder charge husband remanded

The husband of Carol Wardell, the building society manageress whose body was found dumped in a lay-by near Nuneaton, Warwickshire, on September 12, was remanded in custody for eight days when he appeared before Nuneaton magistrates charged with her murder.

Gordon Wardell, 41, of Meriden, was also accused of burglary at the Woolwich Building Society office in Nuneaton, where his wife worked, and with stealing more than £14,000. There was no application for bail and reporting restrictions were not lifted.

Learner jailed

A learner driver was jailed by Maidstone Crown Court for two years after killing a woman in a head-on crash. Michael Mohammed, 39, a financial investigator of the Docklands area of London, admitted causing the death of Tracy Bennett, 23, last year when breaking the speed limit in a Rover company car.

Throat injury

A man needed 28 stitches in his throat after being caught by a wire washing line that lifted him off the ground as he ran down a dark alley in Portsmouth. Bob Geater, 19, had been chasing two youths who had thrown a firework into a crowd outside the pub where he works.

Victim, 85, dies

Gladys Parker, 85, has died seven weeks after being attacked at home. She was beaten after disturbing a burglar in her bungalow in Chard, Somerset. It is thought she might have opened her door to a stranger, believing it was her son David who lived with her.

Parking penalty

Keith Dally, of Roath, Cardiff, was jailed for 28 days after running up £13,000 in parking tickets and fines. Dally, 38, tore up 150 parking tickets and failed to pay others. Cardiff magistrates were told. His imprisonment means his fines will be wiped out.

Earl fined

The Earl of Mansfield, 64, was fined £100 after admitting driving carelessly. His pleas of not guilty to failing to stop and failing to report an accident in a crowded car park were accepted by Perth Sheriff Court, where he often sits as an honorary sheriff.

Knife death

A man stabbed himself to death as police arrived to ask him about a bomb attack at his estranged wife's home. Joseph Milligan, 48, of Poole, Dorset, refused to answer the door to the two officers. As they forced their way in, he stuck a knife into his stomach.

£2m damages

Richard Miles, 14, who was severely brain-damaged during his birth at New Cross Hospital, Wolverhampton, was awarded damages of nearly £2 million by the High Court in Birmingham against the health authority.

Llama treks

Bruce Wright, a Norfolk farmer, is hiring out llamas to walkers in Theford forest. A two-hour stroll with coffee and cakes for four people sharing a llama costs £36.

Stranded seamen plead for food and water

By GILLIAN BOWDITCH, SCOTLAND CORRESPONDENT

THE International Transport Federation is to take up the case of 100 Bulgarian seamen who have been stranded in what they call prison conditions, without adequate supplies of fresh food and water off the coast of Shetland.

The crews of two Bulgarian fish factory ships are being kept in appalling conditions, according to Shetland islanders. Some of them have not been paid for three years. The seamen have had to rely on the charity of the locals and on their own entrepreneurial skills. They scour the local rubbish tip for goods which they can mend and sell.

The men, around 50 on each vessel, say they frequently run short of fresh drinking water and food. They cannot get medication and claim to be kept in near prison conditions. The crews of the *Akztina* and the *Rotalia* say they are owed



£300,000 in back pay. Both ships have been arrested for non-payment of debts.

Bryan Allen, an ITF inspector, said: "They have been abused and robbed for too many years. Some have not been paid or received their full salary for as long as three years."

The men are owed an average of £5,000 (£3,500) each, although some are due considerably more. Most have given

Mr Allen power of attorney, the first step in the legal process to recover their money. If the wages bill is not met, the ships could be auctioned and the men paid with the proceeds.

The chief engineer of another Bulgarian vessel, the *Kapela*, which left Shetland for Ullapool at the weekend, recently staged a week-long hunger strike in order to come ashore and publicise the seamen's plight. Milen Lordanov Kochev said: "We live like prisoners on floating prisons in conditions of missing drinking water and shortness of food, medicines and vitamins." After speaking out about the conditions, he says he lost his job.

The ships are known as *Klondikers*, after the 19th century Canadian gold miners. Some 100 arrive off Shetland from Eastern Europe every



Bryan Allen of the ITF says Bulgarian fishermen have been "abused and robbed for too many years"

winter to process fish. Moored in the water around Lerwick, they comprise a floating town whose inhabitants often outnumber the residents of Shetland's main town.

The *Klondikers* help to support a multi-million pound industry by processing huge quantities of fish quickly. When they are properly funded they can add millions of

Crisp bags linked to male infertility

By NICK NUTTALL, ENVIRONMENT CORRESPONDENT

A STUDY into a group of common chemicals that affect male fertility has been ordered by the Agriculture Ministry amid concern that they are building up in milk, chocolate and fish.

Phthalates are used in the printing and plastics industry, and have been linked with testicular damage as well as declining sperm counts among men in the West.

Gwynne Lyons, a consultant to the World Wide Fund for Nature who has been monitoring the chemicals, said yesterday: "Officially the ministry claims there is no cause for concern, but privately staff have told me otherwise. MAFF would not be spending this money on a full study if there was no risk."

Research by the ministry's food science laboratory in Norwich has found that milk is also becoming contaminated by these "fat-loving" chemicals. They can also be found in paints and cosmetics, where they evaporate into the air.

Research by American scientists has found that the chemicals, of which there are about 7,000 compounds, attack Sertoli cells in the testes of rats. The cells play a key role in sperm production.

British scientists suspect the chemicals may be part of the environmental jigsaw puzzle in which a range of modern industrial chemicals are acting together to feminise the unborn male, damaging his sperm count later in life.

A spokesman for the British Coatings Federation said yesterday that the industry had developed alternatives but that these were more expensive.



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He drove it day in, day out, up and down the mountainous roads of Mexico, until a few years ago, when he finally retired.

Today he simply drives it 35 kilometres to the beach and back, where he now goes daily to swim.

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In all those years, it has never left him stranded, it has never been in the back of a tow truck, and has never been involved in an accident.

People often stop him and ask if he would ever consider selling it. He always politely refuses.

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British Waterways launches £100m plan to reopen derelict waterways by end of century

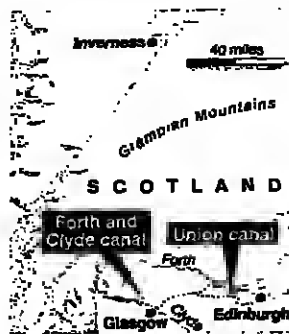
New millennium for historic canals heralds 4,000 jobs

By Gillian Bowditch, Scotland Correspondent

BRITISH Waterways launched an ambitious plan yesterday to reopen lowland Scotland's canal system by the end of the century. The scheme would link Glasgow and Edinburgh by canal, creating 4,000 new jobs and £300 million of inward investment. The company, which controls 2,000 miles of Britain's canals, hopes to win the £100 million needed to restore navigation to the Forth and Clyde and the Union canals from the Government's National Lottery Millennium Fund.

The project will involve reopening nearly 70 miles of derelict waterways from Bowling near Dumbarton on the Clyde to Grangemouth on the Forth, with a further stretch of canal from Falkirk to Edinburgh.

Brian Henderson, chairman of British Waterways,



launched the project, which is to be called the Millennium Link, from a barge on the Union Canal at Ratho near Edinburgh. He said: "Our vision for the Millennium Link is not about the past. It is about turning our heritage into our future."

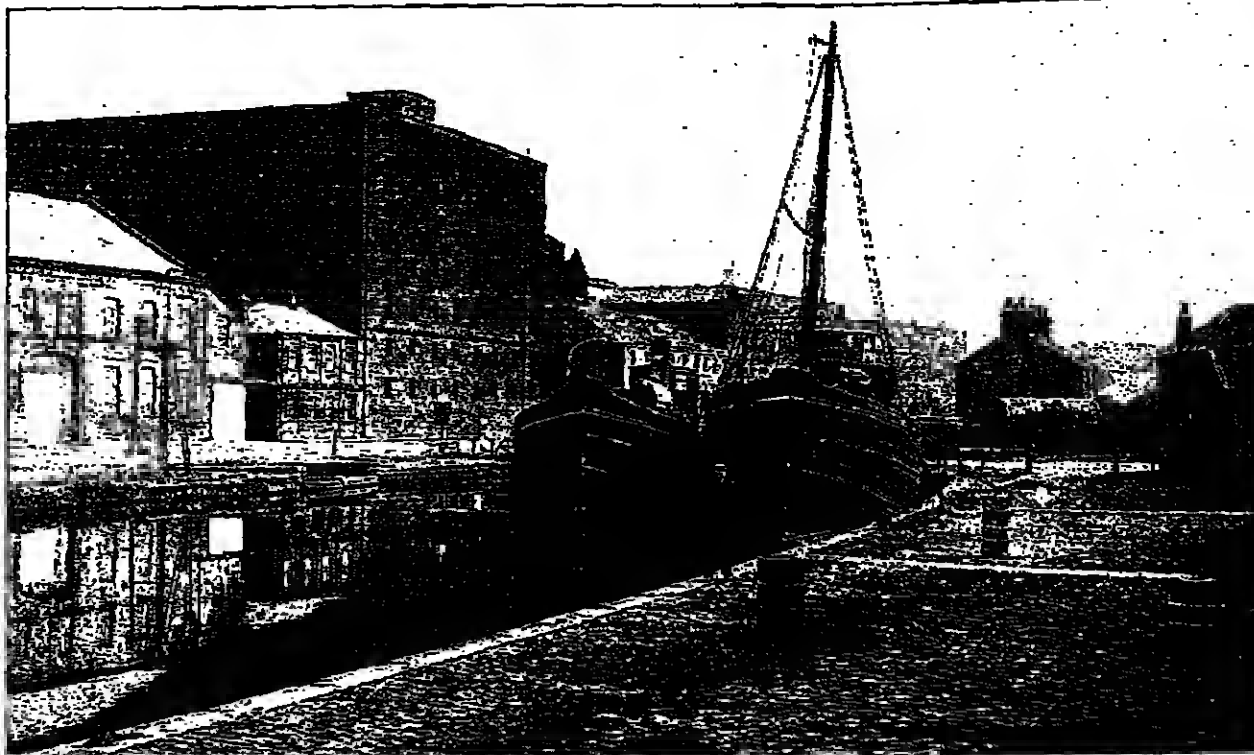
The Forth and Clyde Canal was the first big transport project undertaken in Scot-

land. Work started on June 10, 1768, and it was completed in 1790.

The aim of the Forth and Clyde was to provide a link for trade and industry between the east and the west coasts and in its heyday barges carrying iron, chemicals, timber and coal glided up and down the 35-mile route.

The original engineer was John Smeaton, who designed the Eddystone Lighthouse. Charlotte Dundas, the world's first practical steamboat, conducted trials along the canal in 1802. The canal ceased operating in 1963.

The Union Canal has an equally impressive history. It was designed to break the monopoly of the Midlothian mine owners. It is 31 miles long and was built between 1818 and 1822. It was closed to navigation in 1965. Hugh



The Forth and Clyde Canal at Port Dundas, Glasgow, in 1950. It was a working waterway from 1790 to 1963

Baird designed the canal with advice from Thomas Telford. Burke and Hare, the infamous Edinburgh murderers and grave robbers who sold their victims' bodies to medical science, worked as navvies on the canal. Hare's wife, Lucky, dressed as a man to

work beside her husband on the canal.

The Union Canal gave an impetus to the coal, rubber, shale and brewing industries during Victorian times.

Mr Henderson believes that just as the canals brought wealth and industry to the

areas they passed through, a reopened canal would boost tourism, leisure and industry.

The management consultants Coopers & Lybrand have researched the project and believe the work could be carried out in five years creating 4,000 jobs from £300

million of private-sector investment. The reopened canals would bring in an annual income of £35 million.

British Waterways will submit its bid for finance in the spring and the Government is expected to pick the winning projects by the autumn.

Panda that failed to bear goes home

MING MING the panda left for home in China yesterday after failing to become pregnant during a three-year stay at London Zoo. Her departure leaves Britain with no resident giant panda.

Ming Ming left Heathrow for Peking via Paris. London Zoo's director, Dr Jo Gipp, and the headkeeper, Mick Carmen, travelled with the panda, who was transported in the cargo hold, and made regular checks during the 13-hour flight. "She has plenty of food and water," a zoo spokeswoman said.

Ming Ming was 17 when she was brought to Britain in an arrangement secured by Sir Edward Heath. It was hoped that she would become pregnant as part of a breeding programme.

An introduction to Bao Bao, a male from Berlin Zoo, did not go well, nor did artificial insemination succeed. The Chinese authorities requested her return and she has gone back to the Chengdu breeding centre.

Leading article, page 21

SHEEHAN on BRIDGE

THE British team has just won the Junior European Championships against teams from 21 countries. The event is for players under 25.

The team was Jason and Justin Hackett, Denny Davies and Phil Souter. Tom

Townsend and Jeffrey Allerton, with Raymond Brock as non-playing captain.

The Hackett twins are the most experienced players in the team. Here is an example of their aggressive tactics.

Dealer West

East-West game

47	AKQ763
107	107
JB76	JB76
AK	AK
AKJ952	AKJ952
AK102	AK102
AKQ108643	AKQ108643
AKQ108643	AKQ108643
AKQ108643	AKQ108643
AKQ108643	AKQ108643

W	N	E	S
14 (1)	Justin	Pass	Jason
Double	SV (2)	Pass	49 (3)
Double	Pass	Pass	49
Double	Pass	Pass	48 (4)
Double	All pass	Pass	48

(1) any strong hand (2) pre-emptive
(3) according to system; showing diamonds with heart tolerance
(4) trust me, brother

Irving Rose used to bid like Jason, but eventually people realised it was not wise to double him, after he had adopted this type of sequence.

The Hacketts had already achieved a good result when they managed to be in Four Spades Doubled, which looks as though it has to go one down. But the result was better when West, in with the

ace of spades and afraid that the declarer could run the heart suit, decided to play ace, king and another club.

That set up the jack of clubs for a heart discard and enabled Jason to make the contract. As the British East-West bid made Five Diamonds in the other room, Great Britain gained 1190 points on the board.



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THE TIMES Lottery Prize Draw

21,000 National Lottery tickets to be won

Tickets for the National Lottery go on sale on Monday November 14, and with a top prize of £2m expected when the first draw takes place on Saturday November 19, lottery fever is starting to grip the nation. The Times, in association with The Sunday Times, is offering readers an additional chance to become overnight millionaires with our great lottery tickets prize draw.

Week three of our competition offers you the chance to win up to 10,000 lottery tickets to be purchased on your behalf. Each has a one in 54 chance of winning a prize.

Our teams of ticket buyers will purchase 21,000 official lottery tickets on behalf of our winning readers with randomly generated numbers for entry into the November 19 prize draw.

Continuing over the next two weeks, we are publishing a total of 24 tokens. Collect 20 tokens and you can enter our prize draw twice. Collect all 24 from The Times and the 16 tokens which will appear in The Sunday Times and you can enter the draw four times.

FIRST PRIZE 10,000 £1 tickets, second prize 2,000 £1 tickets, third prize 1,000 £1 tickets
Ten fourth prizes of 100 £1 tickets, 100 fifth prizes of 20 £1 tickets, 500 runners-up prizes of 10 £1 tickets

HOW TO WIN

TO enter the prize draw, simply collect 10 lottery tokens from The Times and The Sunday Times. The first token was printed in The Times on October 8 and further tokens are appearing each day in The Times and for the next two weeks in The Sunday Times, giving you a total of 40 tokens and enabling you to make four individual entries in our 21,000 lottery tickets prize draw. When you have collected 10 tokens send them on the form below or save all 40 tokens and send them with the bonus entry form which will appear on November 5.

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Parts of gun used in backpackers' murder found at roadworker's home, court told

Outback serial killer 'shot Briton with silenced rifle'

FROM ROGER MAYNARD IN SYDNEY

Witnesses testifying at the start of committal proceedings described finding two British women's bodies in the bush

THE serial killer who murdered seven backpackers in Australia used a rifle with a silencer when he shot Caroline Clarke, a British tourist, ten times in the head, a prosecutor told a magistrates' court here.

Parts from the gun which fired the fatal shots were found behind a wall in the house of Ivan Milat in the Sydney suburb of Eagle Vale, Campbelltown Court was told. The silencer was found in Mr Milat's garage.

Ian Lloyd QC, the prosecutor, told the first day of committal proceedings against the roadworker, 49, that Clarke, 22, from Slaley, Northumberland, was stabbed as well as shot before

her body was dumped in isolated bushland in the southern highlands of New South Wales. Her friend, Joanne Walters, also 22, from Maesteg in Wales, whose body was found nearby, died from multiple stab wounds.

The two young women, who were on a working holiday in Australia, disappeared in April 1992. Their decomposed bodies were found in September of the same year.

The remains of five other

backpackers, including three Germans — Anja Habschied, 20, Gabor Neugebauer, 21 and Simone Schmidl, 21 — and two Australians — James Gibson, 19, and Deborah Everist, also 19 — were discovered in the same area. Most had been stabbed while two were shot. Habschied had been decapitated.

A key witness in the prosecution case is another young British tourist whom Mr Milat is accused of attempting

to murder four years ago. Identified only as "Victim A", the 24-year-old man says the accused shot at him as he ran from Mr Milat's car near a turnoff to the forest. The man said he bolted from the car when Mr Milat pulled over, reached under the seat and produced a revolver and a bag of ropes.

The court was told that the Briton had flown to Australia in May and identified Mr Milat from a series of photographs as his attacker. He is not expected to give evidence until the third week of the committal proceedings.

The most dramatic evidence yesterday came from two orienteers who gave a graphic account of the gruesome discovery which they made in the Belanglo State Forest, at an area known as Executioner's Drop, on September 19, 1992.

Keith Caldwell told the court that he and fellow orienteer, Keith Siley, stopped after smelling what they thought was a dead animal. Instead, it turned out to be the remains of Walters.

"I could see what appeared to be a joint or an elbow protruding from under brushwood which appeared to be stacked on top of the carcass," Mr Caldwell said.

Mr Siley said: "What I thought was a kangaroo leg was actually an elbow, and what I thought was a wombat was actually the hair on the back of her head."

On closer inspection, the two men saw a boot and a piece of clothing.

"I told Keith: 'It's a body,'" Mr Caldwell said.

The two men ran back to a camping hut and raised the alarm on a mobile phone. The next day police found the body of Clarke about 20 yards away.

Woman Police Constable Susan Roberts told the hearing that she stumbled across the remains after she saw a leg under a fallen tree. "There was a large portion of a leg covered by some jeans which had a rip in them," she added.

Mr Milat sat impassively in the dock, dressed in a navy blue jumper, matching slacks and a grey tie. He is charged



An artist's sketch of Ivan Milat, who is charged with killing seven backpackers

with seven counts of murder, one of attempted murder and six firearms-related charges relating to an arsenal of weapons and ammunition found at properties belonging to the Milat family.

Mr Lloyd said about 200 witnesses are expected to be called over the next two months, many of them from overseas, who would identify clothing and camping equipment belonging to the murder victims and which were found

in the homes of Mr Milat or his relatives. "Gun parts found at the house were part of the gun which fired the fatal shots at Caroline Clarke," he told the court.

The court was also told that Mr Milat's former wife would confirm how he often drove her to the Belanglo State Forest and that he frequently carried a pistol.

Mr Lloyd added: "The evidence clearly shows that whoever killed one of the

backpackers killed them all. The discovery of various items in Milat's possession links Milat to the murders of the backpackers." Yesterday's hearing was abruptly adjourned just before lunch after the court received a bomb threat. Witnesses, lawyers and spectators spilled out on to the pavement but were later allowed to return.

Michael Price, the magistrate, will visit the scene of the murders later this week.

Australia stars sell case for republic

BY ROGER MAYNARD

THE Australian Republican Movement yesterday unveiled a list of high-profile ambassadors from the arts, entertainment and sporting worlds in its latest recruitment drive.

They will travel round the country appearing at functions supporting the Republican cause. The movement is also offering 2,000 people the opportunity to buy a place in history by becoming members of an exclusive "2000 for 2001" group. For a fee of about £1,000 members will receive a personalised, numbered silver commemorative medallion. However, the first medallion is being reserved for the first Republican head of state.

Mark Ryan, the executive director of the movement, said that although they estimated that more than 50 per cent of Australians wanted a republic, they were not going to set any membership targets. However, a spokeswoman for the Constitutional Monarchists, Kerry Jones, dismissed the Republicans' membership drive as a gimmick.

"It's an admission of total failure by the Australian Republican Movement," she claimed. "They have less than 4,000 members. We, on the other hand, are just about to sign up our 10,000th supporter."

Bus tragedy: Twelve people were killed and 40 injured on a shopping trip to Brisbane, Australia, yesterday. The mainly elderly women passengers died when their coach careered across the wrong side of a dual carriageway and plunged down an embankment at Boondall in Brisbane's northern suburbs.

Ambulances and helicopters ferried the injured to hospital, while a makeshift mortuary was set up by the roadside. The Australian Transport Department launched an investigation.

The coach driver told police he felt the steering shudder moments before the crash. It was Australia's worst bus accident in four years. In October 1989, 21 people were killed when their coach collided with a lorry at Grafton in New South Wales. A few months later two coaches collided head-on along the same highway, killing 35.



Caroline Clarke, 22 From Slaley in Northumberland. Last seen alive: April 24, 1992. Body found on September 20, 1992



Joanne Walters, 22 From Maesteg in Wales. Last seen alive: April 24, 1992. Her body was found on September 19, 1992



Deborah Everist, 19 From Australia. Last seen alive: December 29, 1989. Body found, shot and stabbed, on October 5, 1993



Simone Schmidl, 21, German. Last seen alive: January 20, 1991. Body found on November 1, 1993



Anja Habschied, 20, and Gabor Neugebauer, 21 From Germany. Last seen alive: December 20, 1991. Their bodies were found on November 4, 1993



James Gibson, 19 From Australia. Last seen alive: December 29, 1989. His body was found on October 5, 1993

British firms win £400m contract in Indonesia

BY JAMES PRINGLE

TRAFALGAR House has secured a £400-million road contract with a firm controlled by Siti Hardiyanti Rukmana, the eldest daughter of President Suharto of Indonesia.

The project is to build a 35-mile toll road between Jakarta and Bandung to the east. "This is probably the highest civil project ever signed between the United Kingdom and Indonesia," said Richard Needham, the British Trade Minister who witnessed the signing of the agreement.

The deal was concluded amid a fresh round of debate over Indonesia's human rights record. President Suharto promised yesterday, in the run-up to a summit of Asia-Pacific leaders including President Clinton in Jakarta next month, to intensify efforts to protect human rights.

President Suharto, who has ruled Indonesia with a firm hand since the army put down an apparent Communist

insurrection in 1965, was speaking at a government-sponsored human rights workshop less than a month before Indonesia is due to host the Asia Pacific Economic Cooperation (Apec) forum at Bogor, near Jakarta. Apec was established in 1989 as a forum for increasing trade and investment around the Pacific Rim.

Indonesia has been often criticised for its human rights record, particularly in East Timor, which Indonesia seized after it was abandoned by Portuguese colonialists in 1975 and incorporated it into Indonesia the following year. Some of the severest internal critics of human rights abuses in Indonesia were excluded from the three-day workshop and denounced it as a charade.

President Suharto sees the summit as a way of burnishing his international image before his eventual retirement. However the government re-

cently closed three popular magazines which reported on sensitive issues, cracked down on some non-government organisations and labour leaders and instituted a shoot-to-kill campaign to wipe out street crime in Jakarta.

In its latest report, published last month, Amnesty International, the London-based human rights organisation, said that grave violations of human rights continued in Indonesia under an arbitrary misuse of power. It said labour leaders had become the latest targets in the efforts to crush dissent after unrest in Medan, Sumatra, last April.

Officials say that already more than 100 journalists have applied to visit East Timor, where more than 100 people were massacred by the army during a demonstration at a cemetery in 1971.

Bernard Levin, page 18

Basque poll deals blow to Socialists

FROM EDWARD OWEN IN BILBAO

THE minority Socialist government in Spain, besieged by corruption scandals and lacking resolute policies, suffered its second electoral drubbing this year when it lost support in Sunday's elections in the Basque region.

The Socialists lost to Spanish national parties on the left and the right. The United Left won its first six seats in the 75-seat Basque parliament and the centre-right Popular Party almost doubled its vote to take 11. "The Socialist Party has suffered a major blow in the Basque country. Basques want a change," Jaime Mayor Oreja, 43, the Popular Party candidate for the Basque presidency, said.

The marked increase in the penetration of Spanish, as opposed to Basque nationalist, parties in the Basque region shows that independence is not an issue for about half the population. The vote can also be interpreted as being against violence.

The Basque Nationalist Party (PNV), which preaches a democratic route to self-determination and has an ambivalent view of the monarchy ("respect but not loyalty") and the Spanish constitution ("not ours"), will be forced to form a coalition to remain in power. A PNV splinter group is an obvious choice and the Socialists are forced to prop up the PNV because Felipe Gonzalez needs the support of Basque and Catalan nationalists to govern in Madrid.

Herri Batasuna, the separatist group Eta's political wing, dropped two points on Sunday against previous electoral results, polling 16.3 per cent and losing two seats. But it gained more votes than in last June's elections to the European Parliament because its deputies were offering peace, not violence.

After 26 years of violence and 760 dead, there has not been an Eta attack in Spain for the past two months. It is thought that the unofficial ceasefire might be extended.

Modest magistrates strike at sleaze among French elite

FROM CHARLES BRENNER IN PARIS

YOUNGISH and badly dressed, the clutch of investigators whose names strike terror among France's political and business elite look more like school teachers than avenging lawmen. They do, however, share an austere, ascetic look that fits a revolutionary.

Over the past week, politicians and pundits have concluded with varying degrees of pain or approval that the dogged pursuit of political corruption by these modest examining magistrates is achieving a revolutionary purge of French public life.

Two of the *juges d'instruction* — Renaud Van Ruymbeke of Rennes and Philippe Courroye of Lyons — have forged reputations as fearsome as that of Antonio di Pietro of Milan, although



Balladur will not stifle political prosecutions

they hold nothing like the powers of the Italian investigator. M Van Ruymbeke, 42, has so far charged Henri Emmanuelli, the Socialist party leader, in connection with illicit party finances, and his sleaze investigations have forced the resignation of Gerard Longuet, the In-

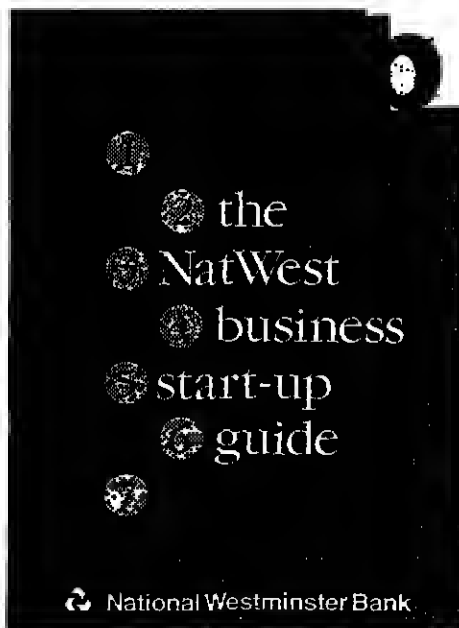
dustrial Minister. M Courroye, 35, last week imprisoned Alain Carignon, until recently Minister for Communications. No judge had jailed a French minister since 1847.

How is it, many are asking, that a clutch of magistrates has successfully taken on ministers and captains of industry? The answer springs partly from a shift in the climate. Edouard Balladur, the Gaullist Prime Minister, promised last year to desist from stifling political prosecutions.

Yesterday Pierre Méhaignerie, the Justice Minister, renewed a Napoleonic promise: "My philosophy and that of the government is that justice must follow its course and be the same for everyone." His name is now being cited in connection with an alleged bribery scheme.

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مكتبة الأصل

'Mother of security operations' put in place for Clinton

FROM CHRISTOPHER WALKER IN JERUSALEM

ISRAEL and Jordan yesterday began mounting what Israel Radio described as "the mother of all security operations" in an attempt to protect President Clinton and tomorrow's spectacular peace signing ceremony in the remote Arava desert from terrorist attack.

Western, Israeli and Arab intelligence reports have pinpointed Palestinian Islamic extremists and Iraqi infiltrators into Jordan as the most likely perpetrators of any outrage designed either to kill the President or to disrupt the ceremony in front of the 5,000 invited VIPs.

"There is no doubt that both President Saddam [Hussein] and Islamic groups such as Hamas are opposed to this treaty and to the presence of the United States leader in the region," one Western security source noted. "The question is whether they attempt to get in close or pick a soft target miles away in an attempt to spoil the party."

Such is the concern about

security at what officials claim will be the largest ceremony of its kind ever staged in the Middle East that the 1,000 journalists attending from the Israeli side have been told to travel to the port of Eilat a day early. The 1pm ceremony will be staged about two miles north of the town where a patch of desert the size of a football pitch has been paved with asphalt after controlled explosions to remove remaining landmines littering the former no-man's land.

Since last Wednesday's Islamic suicide bomb in Tel Aviv in which 22 Jews were killed, scores of Hamas suspects have been arrested by the Israelis in the occupied West Bank. Information has reached Israeli intelligence that Hamas has been instructed to attempt some form of attack to disrupt the proceedings, the most concrete symbol of peace since the 1979 treaty between Israel and Egypt.

Israeli sources claim that both King Hussein of Jordan and President Clinton have been placed on a Hamas assassination list. David Kimche, a former Mossad agent and former chief of the Israeli Foreign Ministry, claimed that Jordan's security network was sufficiently strong to prevent the King meeting the same fate as President Sadat of Egypt, assassinated in October 1981.

In addition to Palestinian

Islamic militants, many mainstream members of the Palestine Liberation Organisation are also opposed to the peace accord because of the advantage they claim it gives King Hussein in his struggle with them to exercise control over the Islamic holy sites in east Jerusalem. Photographs of the Jordanian monarch have been burnt in recent street demonstrations in the Holy City. Some of the strictest security around the Clinton trip will be imposed when he goes on a tour of its sites after dark on Thursday.

Many extreme Israeli rightwingers are also opposed to the peace with Jordan, which some still claim as part of the biblical territory of Israel. Israel's National Religious Party has declared a boycott of the ceremony and attacked the government for "staging an elaborate production while Israeli blood is being spilled".

To ward off a more embarrassing boycott by Likud, Israel's main right-wing opposition party, Yitzhak Rabin, the Prime Minister, has announced that Mr Arafat has not been invited. Most leading members of Likud still dismiss the new Nobel laureate as a "terrorist" and refuse to attend any meeting at which he is present.

Before the signing, Israeli soldiers will lay wreaths on the graves of all the fallen



Israeli riot police at the Western Wall in Jerusalem yesterday as security measures were stepped up for President Clinton's visit

soldiers in Israel's five wars. In the desert, where temperatures are expected to reach 35C, the audience will observe a minute's silence for the thousands who died in the 46 years that Israel and Jordan were technically at war.

White doves and 10,000

balloons will be released over the site where the leaders of Israel, Jordan and America will gather first in a bedouin tent made of black goats' hair. A reminder of the importance of the occasion in domestic American politics will come when the Israeli and Jordanian

philharmonic orchestras jointly strike up *The Star Spangled Banner*. Jordanian officials emphasised yesterday that President Clinton will go ahead with his address to Jordan's parliament although members of the Islamic Action Front, with 16 seats the largest

single party in the 80-seat house, have announced a boycott of the address. "Clinton is an enemy of our Islamic nation" in Palestine, Jordan, Iraq, Sudan and elsewhere," Hanzza Mansour, the front's spokesman, said. Of more concern to the doves of peace

are the 800 American servicemen in Amman who have been the target of Iraqi missiles since the 1991 Gulf War. They have carried out a number of attacks, including the assassination of a defecting Iraqi scientist on his way to seek asylum in Britain.

Lion's den is home to Mozambique poor

FROM MICHAEL HAMLYN IN BEIRA

MARIA Mazimuso dreams of lions. She dreams she is in a cage and the lions are walking about outside, watching her through the bars.

Her dreams are not so surprising, for she lives in a lions' cage. The lions died of starvation in Mozambique's civil war, the cages were empty and she made an offer to the zoo owner. She pays \$80 a month for some of the driest, most stoutly built accommodation around. The bars are

covered with cardboard to keep her private and the cage is divided by sacks into two rooms which she shares with her six children, her sister and her three youngsters. There was not much room for two lions, either.

"I don't really like it," she agreed. "It gets very hot in summer. I suffer living here like a chicken in a coop."

The dreadful shortage of housing in a country ravaged by 16 years of war is likely to

keep her in her cage for some time. Thousands of people live in shacks built of cane and grass all round the country. Mrs Mazimuso shares a row of cages with another family, Theresa Dix Ernest, 34, and her husband, Juan Razer, 36, a former member and now a reservist in the ruling Frelimo Party's army. They have two separate cages linked by an iron hatch, for themselves and their three surviving children. The zoo,

set amid coconut palms and papaya trees in the dusty Beira suburb of Beira Pequena, used to be a more alarming place. Although the lions and other animals had died, the crocodiles had been kept alive by a diet of dogs and cats brought from the city by children. The crocs would escape from their cages from time to time and, until they were found a new home, wander through the garden to the terror of the children.

Serbs fail to end fuel blockade

Sarajevo: The Bosnian Serbs reneged yesterday on a week-end promise to end a debilitating three-week-old fuel blockade of United Nations troops, while in another development it was reported that nine of their soldiers were killed in a government commando raid outside Sarajevo (Joel Brand writes).

The raid was the second by mostly Muslim Bosnian Army commandos in recent weeks. The first, in which 20 Serbs in a military command post were killed, sparked a Serb demand for the withdrawal of troops from Mount Igman.

Russian poll

Moscow: Mikhail Gorbachev, the former Soviet leader, is considering making a political comeback by running against his old rival, Boris Yeltsin, in the Russian presidential election, due in 1996.

Florence plea

Rome: Pietro Fioravanti, the lawyer defending Pietro Pacciani, 69, the suspected serial killer of 16 people, told a court in Florence that the police had the wrong man and pleaded for his acquittal.

Pollution fear

Madrid: Residents of Madrid and its suburbs consumed tonnes of vegetables contaminated by radioactive waste from a nuclear plant spillage in 1970, the daily *El Pais* reported, accusing the government of a cover-up. (AP)

Amnesty accuses Algeria of widespread torture

BY MARIANNE DARCH

AT LEAST 10,000 Algerian civilians have been killed by government forces and armed Islamic groups in a wave of violence which shows no sign of diminishing, says an Amnesty report out today.

Human rights have continued to deteriorate after army-backed authorities annulled the general election in December 1991, which the country's Islamic movement was poised to win. Widespread protests by supporters of the Islamic Salvation Front (FIS) led to more than 100 deaths in the first two months of 1992 and an emergency was declared. Unofficial sources estimate deaths since then at 20,000. Torture and ill-treatment of detainees has become common practice again, after the virtual eradication of such actions between 1989 and 1991. President Zeroual said on August 25 that human rights violations would not be tolerated and asked for reports of such violations to be brought to his attention. However, Amnesty's repeated appeals to investigate alleged atrocities

were ignored. Security forces are still allowed to perpetrate crimes in total impunity and victims of the arrests were also civil servants, magistrates, and more than 60 foreigners.

In June Youssef Fethallah, president of the Algerian League of Human Rights, was shot dead by unknown gunmen as he went to his office in the centre of Algiers. Armed Islamic groups are deliberately targeting civilians who oppose their political aspirations, Amnesty says. Authorities maintain that those killed by the security forces died in armed clashes, but the Amnesty report states that hundreds of civilians have been killed as an alternative to arrest or in retaliation for attacks by armed Islamic groups. On August 16, 20 people were shot dead by security forces outside their homes in Algiers, reportedly after an armed Islamic group ambushed two army vehicles.

Tens of thousands of people were detained in internment camps in the south of the

country at the beginning of 1992, hundreds without being charged or tried for two and a half years. Since February 1993 more than 10,000 people have been tried by special courts set up by an anti-terrorist decree of September 1992. Over 1,100 death sentences have been handed down, most of them in absentia. Executions were suspended at the end of 1993, but people had already received capital punishment.

Confessions extracted from detainees under torture have been accepted by judges, Amnesty says. Methods of torture include the "chiffon", in which torturers insert a cloth into the victim's mouth and pour in large quantities of dirty water mixed with detergents or chemicals. Other techniques include electric shocks, blow-torches, sexual abuse with bottles and sticks, and drilling holes in the body.

Algeria: Repression and violence must end. Amnesty International, 99, Rosebery Avenue, London EC1R 4RE

Tanker loaded Iraqi oil for export

Kuwait: An oil tanker captain, whose vessel was intercepted in the Gulf on suspicion of violating United Nations sanctions, said yesterday he had loaded diesel fuel in Iraq for export in violation of the ban.

Izzat Abdulhadi Khalifa, Egyptian master of the *Al-Mahrousa*, told a news conference on board the vessel

that he had loaded 3,162 tonnes of diesel oil in the Iraqi port of Zubayr between October 16 and 19 and sailed south into international waters. He said he was heading to the Iranian port of Abadan.

Armed police were posted on the ship and at the dockside to guard the vessel, which has been cordoned

off. The Saudi-owned, Honduran-flagged tanker was brought to Shuaiba port, south of Kuwait City, under escort after a US warship, part of a four-year ship monitoring operation, stopped it in international waters in the northern Gulf on Saturday and transferred the ship to the custody of the Kuwaiti Navy. (Reuters)

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Screenplay doctor on call

Valerie Grove finds Texas and Edinburgh reconciled in Jay Presson Allen, a woman who grew up with Brodie-like principles

Jay Presson Allen, who wrote the play and the film of *The Prime of Miss Jean Brodie*, went to school in Texas, as far as could be from Miss Brodie's pure Edinburgh vowels. But Miss Hockaday's School for Young Ladies in Dallas had its own Brodie-like principles, which is why Mrs Allen is today such a spirited elegant lady, very much in her prime.

"Texas ranch country was a marvellous place to grow up. Tremendous freedom, freedom from danger — and for 50 square miles around everybody knew your dental records."

She was an only child and a show-off, and for a while she trod the boards in revue and in cabaret, but was so miserable "I would wake every morning hoping that something drastic would happen — you know, my parents would be killed in an automobile accident — so I wouldn't have to go. Sometimes I would weep all through the performance, and nobody noticed..."

She began to write because she couldn't believe she couldn't do better than most of the terrible things she read. Her first play, written to finance her getaway from a wartime marriage, was rejected: "I brooded for a couple of months, and decided the producer hadn't read it, but merely given it to a reader. My guess was absolutely correct. The reader who rejected it had decamped to Mexico with an actress — but he came back from Mexico and I married him! Revenge, revenge..." she laughs. The play was never produced; but the marriage (to Lewis Allen, now a Broadway producer) has been happy for 40 years.

Since then she has written many scripts that have furnished actors with Oscars: she wrote the film of *Cabaret*, and *Travels With My Aunt* and three films with Sidney Lumet including *Deathtrap*. Her first screenplay was *Marnie* for Alfred Hitchcock.

"Hitchcock was a great teacher. We

got along famously. He loved having women around, and his way of seducing was to create professional opportunities for you. He did everything he could to turn me into a director." But by then she had a daughter, Brooke — now a writer, who co-authored with her mother *The Big Love* for Tracy Ullman. Brooke has 18-month-old twin girls. "That's a 24-hour-a-day circus," says the adoring grandmother. "They're like monkeys, they make me laugh so. That's what all my compulsion to carry on working is about. Well, wouldn't you like to have a rich, doing grandmother?"

As a seasoned writer for hire in a Hollywood of "young buccaneers who turn out scripts on spec and auction them for a no-a-zing amount of money, against bair-raising odds" — she is a mistress of the rewrite, with a reputation as a screenplay doctor.

"They call you when they're desperate. It's quick, they want it fast, they pay nicely, and it's over and out. You don't take on anything you don't believe you can help. In rewrites,

the key is enlarging the characterisation, and sometimes bringing a little humour to it. That's always a good idea. Since I have a very short attention span, I love it. I just oversaw a script about high school kids which was a lot of fun. The key to all film scripts is: Surprise me. Just give me a little bit of a surprise."

Her next project is the film of Pat Barker's admirable novel *Regeneration*, about shell-shocked soldiers in the First World War, shooting in Scotland next year. She is also writing a film based on a piece of *New Yorker* reportage by William Finnegan, about his experience of doing jury service on a case of a young mugger, Tina Brown's *New Yorker* has become a hot repository of stories with cinematic potential. "There were six people chasing that story for a movie," says Mrs Allen. "Until Tina's arrival at the *New Yorker* there were people turning out a piece every seven years..."



Jay Presson Allen: the key to rewriting a script, she says, is enlarging character and perhaps adding humour

The Allens live at the epicentre of Manhattan, and have a house in Umbria and a 15th-century English barn with golden oak beams, dismantled and currently in storage in Wiltshire. She is now advertising the barn for sale in the three likeliest selling areas: Germany, Colorado

and Litchfield County, Connecticut.

Thirty-two years since she adapted the play from Muriel Spark's glittering novel, Mrs Allen has seen "Miss Brodie" and her *crème de la crème* pass into the language. She has known many Jean Brodies — Anna Massey, Zoe Caldwell, Maggie Smith — as it is written into her contract that she sits in on each production. She has just been in Bath with the one which opens at the Strand Theatre on Tuesday night, and in her highly critical view Patricia Hodge is Brodie incarnate, and will be a hit. "I just know she's so right. She's perfect."

Why Heathrow
is a disgrace

The yawning hole at the airport's heart is a sign of national decline

LAST MONTH a huge hole, 60ft wide and almost as deep, suddenly opened in one of Munich's main roads and swallowed up a crowded bus. Two passengers were killed and 30 were injured as the bus disappeared into the collapsed remains of an underground railway tunnel that was under construction using the so-called New Austrian Tunneling Method. It was the second such alarming hole to appear in the streets of Munich in these circumstances, so the police launched a criminal investigation.

They also instituted a blanket publicity ban, so most of us heard nothing more about this catastrophe beyond a few soothing words from the Austrian project manager employed to advise on using this technique underneath the world's busiest international airport and two of the world's busiest railway stations, London Bridge and Waterloo. He said, as I suppose he would, that it couldn't possibly happen here.

Shortly afterwards, as you know, a large hole opened up at Heathrow and tried to swallow a building full, appropriately enough, of engineers working on the Heathrow Express tunnels. For a moment it, and millions of others who have to pass through that devilish place on their way in and out of this country, wished that the hole might be big enough to swallow the entire grisly shooting match.

My Hungarian house guest certainly felt that way. She arrived last week with four enormous suitcases, spluttering: "I simply cannot believe that a hole at Heathrow is like a third world nightmare. And such an impossible hole to crawl into and out of! It took all morning to get into town on that appalling choked road. How can this country possibly function when nobody can get in or out of its main port of entry? It must take longer to get onto a plane from central London than it does to fly anywhere in Europe!"

And that's just in normal times. On Sunday, in the middle of the hole crisis, she had to fly to Tokyo. The radio advised using the tube to Heathrow, but failed to warn

passengers how strenuous this would be. (It is still physically impossible to change at Hamersmith with four suitcases, despite the millions spent on what claims to be a proper modern transport interchange. In the end she took a fixed price mini-cab, which was just as well because by that time they'd closed the station at Terminal 4...) It will all improve, we used to tell ourselves, once they've finished mending the M4 and the M25 and got the Heathrow Express working. The roads had to be dug up because, in the British way, they were built wrong in the first place.

Like our railway tracks that can't cope with the leaves that fall every autumn and the snow that falls every winter, the motorways couldn't cope with the sunshine that expands them every summer. But surely, we said, they wouldn't make the same mistake with the new railways? Railtrack's engineers have always been uneasy about using the Austrian system in London clay which, as every London householder knows, is prone to subsidence. What worried them was not so much a Munich-style catastrophe as the prospect of railway lines distorting and bridges cracking around the new Jubilee Line extension tunnels under Waterloo and London Bridge. Commercial engineers, led of course by the Austrians, pootled these fears. Railtrack was having a hard time maintaining its cautious approach against commercial pressures, but it must now be regarding the Heathrow hole as a blessing in disguise. Conventional tunnelling is vastly more expensive in complex interchanges but it now looks as though we shall just have to take a deep breath and find the money to do the job properly both at Heathrow and on the Jubilee Line. Just do the job properly.

Heathrow Airport ought to be a source of national pride. Instead, as photographs of it imploding show only too clearly, it is a shoddy, sprawling monument to the philosophy of make-do and mend. Before anyone reaches for the sticking plaster, they should put a demolition gang on to the job.



MARGOT NORMAN

Julia Llewellyn Smith meets a man who has reported on 27 revolutions

Five minutes from Harrods in the tearoom of the Basil Street Hotel, tourists are recovering from a hard morning's shopping. The last thing they want to hear is Ryszard Kapuscinski describing how it feels when you know you are going to die.

"You don't scream or cry," says this little Pole. He sips his coffee and the room falls silent. "You become mentally paralysed. You see it in the eyes of people before the firing squad. There is no hope, so they are completely passive."

Teacups rattle and a businessman drops his copy of the *Financial Times*. Kapuscinski (pronounced Ka-poo-chin-ski) grins embarrassedly. "But we are talking about very depressing things," he says quickly. "Tell me, what are you doing this weekend?"

Such diffidence is typical of the man generally acknowledged as the greatest living war correspondent, no mean accolade in the age of CNN, where Kate Adie and Brian Sader hop from Bosnia to Somalia as the rest of us tumble from the bank to the supermarket.

These are Kapuscinski's colleagues, yet this shy, courteous man refuses to conform to their gung-ho stereotype. Rather than bang on about bullet dodging and berry nights, Kapuscinski is reluctant to describe the difficulties of reporting on 27 revolutions and being sentenced to death four times. If you want to read how Nigerian soldiers doused him in petrol, you will have to read his books. "I thought I will never come back on some of these assignments," is all he will say.

His deadline
is history

The greatest difference, however, between Kapuscinski and the rest of the back pack is in reporting styles. Since he began working for the Polish Press Agency 40 years ago, Kapuscinski, 62, has barely stopped moving from coup to civil war.

Wherever he went, he would telegraph Warsaw with prose that far transcended his journalism's brief. While the others regurgitated the events of the day, Kapuscinski would make his readers understand a place by focusing on the details. In his book *Shah of Shahs* Kapuscinski explained the Iranian revolution by discussing the goings-on in a bus queue in Teheran. In *The Emperor* he investigates the power structure surrounding Haile Selassie by talking to the man who cleaned visiting dignitaries' shoes of the emperor's dog's urine.

Woven into these vignettes are chunks of history, philosophy and straight reportage. Kapuscinski describes his style as collage. "The post-modern world is a combination of so many elements, and out of this you have to compose something. History is moving so fast, so I have to try to make the book something which is lasting."

It is a daunting task, not least in the case of Kapuscinski's travels in the dying Soviet Union between 1989 and 1991, that make up his latest book, *Imperium*. Since then the republics have changed and changed again, but its author is untroubled by the dramas he missed. "The book was published one and a half years ago in Poland and people say why so late in England? But my ambition is it will stay in literature after ten years, 20 years."

His next book will be his definitive history of Africa, which he will write from Warsaw. "But I am from Pinsk," he explains. When he was born, in 1932, Pinsk was in eastern Poland; now it is part of Belorussia, and in *Imperium* he recalls the Soviet invasion of 1939.

His family escaped to the West and, thanks to Soviet



"I need to say I touched it"

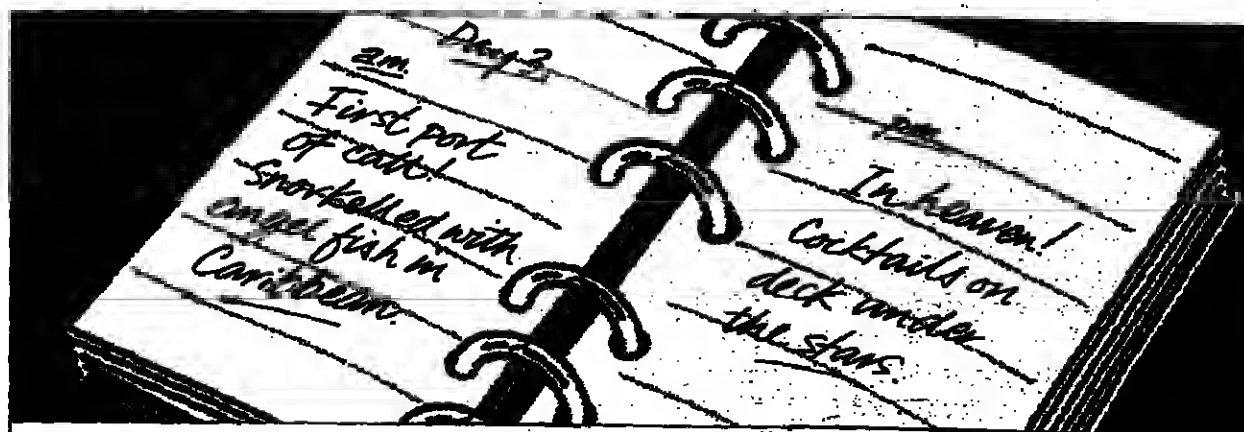
restrictions, it was more than 50 years before Kapuscinski returned to his birthplace. There are obvious connections between this displaced childhood and the peripatetic adult: the seven-year-old begging soldiers for cigarettes to assuage his hunger and the elderly gentleman who feels happiest surrounded by deprivation. "I communicate with a lack of things," he says, looking ruefully about the lounge.

His powers of endurance are, he admits, unnatural. "History in the making is sometimes very bloody. I have had many colleagues give up and I'm still going strong. But their reaction is normal, mine is not." Yet he spares his readers the gore. "Such massacres as in Rwanda you can't describe. Much more important is to try to explain the situation. The killings are only a small part of life."

This conviction has ensured that Kapuscinski remains an optimist, still untouched by that occupational hazard of journalists: cynicism. "I'm very curious," he says. "I need to be able to say I touched it. Otherwise I'm very uncertain." It was his inquisitiveness that saved him from the censor's pen, in the years when admirers wondered if his criticisms of Third World regimes might not also have some relevance to events at home. "They would say we cannot print this — it does not reflect the theory of Marxist conflict. I said 'But I saw this...'"

"My problem," says Kapuscinski, "is that I have absolutely no imagination."

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Evelyn Waugh was as irritable and boorish as he was talented. But the reason may have lain not in his genes but in his medicine



Waugh at work: a rare moment of tranquillity for the writer

Did bromide make Waugh vile?

Edited extracts of Selina Hastings's biography of Evelyn Waugh have reopened discussion among doctors on Evelyn Waugh's psycho-pathology. Did some of the less desirable features of his personality spring from psychiatric disease, unrecognised at the time? Was his treatment with potassium bromide inadequate and dangerous? Or was Waugh, as is usually assumed, merely a cantankerous man generally too self-obsessed to care much for the feelings of those around him, whether they were family, colleagues or the men under his command?

It has been suggested that Evelyn Waugh inherited a streak of cruelty from his grandfather, a doctor. However, cruelty is not an isolated genetic factor, like blue eyes, but rather a symptom which may occur in many types of personality disorder. The biography gives a good

account of bromide poisoning: it was so common in the last century, and in the first 40 years of this, that overdosage was classified as a disease in itself, bromism. Bromide is a poor tranquilliser and toxic when taken to excess; unless the dose of potassium bromide is carefully regulated the amount of circulating bromide is either too small to have a therapeutic effect, or so large that it accumulates in the body to the point of bromide intoxication.

Lady Selina describes how Waugh at first confined his bromide-taking to a night-time hypnotic dose, but later swallowed it by day, mixed with chloral hydrate and crème de menthe, as a supplement to gin. It would be amazing if, taking bromide like this, Waugh had not shown signs of bromism, and by her account he did. Waugh's complexion is described as swollen and congested, his skin blotchy and mottled and



DR THOMAS STUTTFORD

angry red. Lady Selina writes of his physical cruelty to other boys at his prep school and later his mental cruelty to his family and friends. She describes his increasing paranoia, his rudeness, his unusual approach to sex and his language liberally laced with parade-ground obscenities. But she also describes the remorse Waugh felt later after his worst excesses, and his abiding regret that he could not be as other men were

and enjoy the quality of personal relationships which they had. Bromide can induce a variety of skin conditions: the face is usually red, certainly mottled and often covered by an acne-type rash; similar rashes appear on other parts of the body, from which the skin may peel off. The patient also suffers from a disturbed appetite and nausea and can have intractable vomiting. The central nervous system is affected, speech is slurred and the patient develops a marked shake and a staggering gait.

Psychiatric changes are equally pronounced. There is loss of memory, extreme irritability, paranoid delusions — even hallucinations — depression or mania. Indeed, all the symptoms of toxic psychosis are recorded.

Evelyn Waugh describes a short psychotic episode, always thought

to be autobiographical, in his book *The Ordeal of Gilbert Pinfold*. This episode was induced by the unwise sampling of mescaline or some other hallucinatory drug.

The question is whether Waugh had a personality in which his character was always one which concealed any incipient Pinfold-type breakdown, or was he only an over-tense man who was badly tranquillised?

If he had lived later and had been adequately treated from an early age literature might have been the poorer but his health, mood and family might have benefited. The tragedy is that by the time he died appropriate tranquillisers were already available. If these had been prescribed, the final chapters of his life, and his biography, might have been very different.

● Evelyn Waugh: A biography by Selina Hastings (Sinclair Stevenson, £20) will be published on October 31.

Fickle finger of faints

People faint for all manner of reasons: hunger, excessive heat after standing immobile too long on the parade ground, the sight of blood or some other stomach-churning spectacle, exhaustion, shock or dehydration.

In a minute or two before it happens, and in quick succession, the victim feels nauseous, claustrophobic, dizzy, sweaty, spots dance in front of the eyes, then everything goes black.

In popular terminology this is a blackout, and no cause for alarm. Recovery is spontaneous and immediate and little further needs to be done other than to offer reassurance, a blanket and a glass of water.

If, however, an ambulance is summoned and the now recovered fainter is transported to hospital, matters become more complex. For as Dr M.C. Petch, cardiologist at the famous Papworth Hospital, put it recently in the *British Medical Journal*: "While any ordinary person can recognise a common faint, regrettably doctors seem to find the diagnosis difficult."

The trouble is that they know too much. There is actually quite a long list of potential causes of blackouts for the concerned physician to consider. This includes narrowed heart valves, disturbances of heart rhythm, epilepsy, and anything that can reduce a continued flow of blood to the brain.

Investigating these possibilities requires an extensive series of tests, all of which almost invariably turn out to be normal. The medical verdict is that the blackout was "just a faint" — or, in scientific jargon, "a vasovagal attack" — and that nothing more needs to be done.

Most blackouts are trivial but some can be fatal, says Dr James Le Fanu

For Dr Petch, common sense rather than arcane medical investigations is the best guide to action. The distinction between a common faint and other more serious causes, he argues, is made by paying attention to the circumstantial evidence.

Common faints are precipitated by one or other of the physical or emotional factors already considered. These act via the autonomic nervous system to dilate the blood vessels throughout the body. As a result blood pressure falls, oxygenated blood can no longer make it from the heart up to the brain, and the result is a blackout. As the victim collapses to the ground his brain is now at the same level as his heart, and so blood once again reaches the brain and recovery is immediate.

This whole cycle, from premonitory symptoms to full recovery, usually takes two or three minutes. By contrast, most of the more serious causes of blackouts are something to do with the heart. They come out of the blue without any precipitating cause, are instantaneous, and recovery is slower.

Investigating this type of blackout, known as cardiac syncope, with a continuous recording of the heart rhythm may reveal episodes where it

suddenly speeds up or slows down, and for which the best treatment is a pacemaker. Alternatively it may be due to a narrowed heart valve or disease of heart muscle known as cardiomyopathy, which requires treatment with drugs or an operation.

The crucial distinction between the common faint and these more serious types of cardiac syncope is the absence of an obvious precipitating factor, and it is these patients who require more thorough investigations.

That, at least, was the fairly clearcut situation until recently, when doctors Adam Fitzpatrick and Richard Sutton of London's Royal Brompton Hospital focused their attention on a group of patients who seemed to fall somewhere in between. Their blackouts were preceded by premonitory feelings, like those who were about to have a common faint, but they were recurrent and occurred in the absence of a precipitating cause. They thus resembled cardiac syncope, though there was nothing wrong with the heart.

Those with this type of faint invariably recovered rapidly, but they were prone to minor lacerations and bruising, or serious complications such as fractured bones in road traffic accidents.

Drs Fitzpatrick and Sutton found these fainting episodes could be replicated by tilting the patients backwards on a table at an angle of 40° for about an hour. This suggests an impairment of the mechanisms which maintain steady blood pressure, and has been called malignant (i.e. serious) vasovagal (faint) syndrome.

This problem is difficult to treat, but in a recent issue of the *British Heart Journal*,



Hunger, shock and heat can all produce a faint, and common sense suggests no treatment is required other than reassurance and a glass of water

Drs Fitzpatrick and Sutton report a study of 37 patients treated with a pacemaker in whom the total number of faints per year fell from 137 to 11. This "massive reduction",

they argue, is "powerful evidence" for the value of identifying and treating this particular group of patients.

Fainting therefore covers the entire spectrum, from the

trivial to the potentially life-threatening. The crucial clues lie, as always, not in complex tests but in listening to the patient's description of what has happened.

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How to stop suicide

The Government is aiming to reduce the suicide toll, but can doctors make more than a limited contribution?

Department of Health is looking for a reduction of 600 to 1,000 each year.

It cannot be done, argues Professor Greg Wilkinson of the London Hospital Medical College. The knowledge that mentally ill people are the most likely group to produce suicides has not helped to lower the figures at all. One study identified a whole series of risk factors for suicide in the mentally ill — such as previous suicide attempts, or a family history of mania — but the model failed to predict any of the suicides in 46 patients who killed themselves during the study period.

The World Health Organisation argues that the way to

'My patient had no history of mental illness'

prevent suicide is to modify the factors that cause it. If unemployment and social isolation were reduced, they argue, and people had better education and more social support, suicide rates would fall generally. However, the

evidence is not convincing that these factors have an impact on the rate of suicide. Money would be better spent, Professor Wilkinson argues, on diagnosing and treating mental illness.

H.G. Morgan, Professor of Mental Health at Bristol University, argues that it is the good work of GPs which actually keeps the suicide rate as low as it is in this country. It was commonly thought that many suicidal patients saw their own GPs shortly before committing suicide: if GPs were given greater support and education in assessing potentially suicidal patients, more lives could be saved. But new information from Scot-

land casts doubt on this. In a recent survey of more than 1,000 suicides in 16 years in Scotland, only 15 per cent had seen their GP within a week of killing themselves, and they might not have revealed their suicidal ideas at that time.

Targeting patients with a history of psychiatric illness does seem a fruitful strategy in preventing suicide: careful listening by GPs and easy access to mental health services and social services to help these people in their crisis might just prevent their tragedy.

Looking back, my patient certainly was not suicidal in the conventional sense of the word, and he did not have a history of mental illness. I can comfort myself by arguing that we just do not know enough about what precipitates suicide or how to prevent it. But the possibility of having prevented his death lingers with me.

DR KIERAN SWEENEY

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Why can't MPs have another life?

Members need to have outside interests, argues Andrew Rowe

My gross parliamentary salary is £31,687.00 — and very privileged I am to have been elected to earn it. When I offered myself for selection to my Constituency Association, I told them that I would do my best to represent their interests in Parliament and use my parliamentary position to help them as much as possible at home and abroad. I told them that I had been divorced and was shortly to remarry, and that I felt both my experience of previous jobs and of life's difficulties had equipped me for the job of being their MP.

Since then, I have moved house to live in the constituency, my phone number is in the directory and I have made myself available to constituents both in Kent and in London during most weeks of every year. In return, they have, to an extraordinary degree, treated me as they would treat other professionals in their lives. If the telephone rings very late at night or early in the morning, it is more likely to be a journalist than a constituent, although from time to time an emergency occurs which needs immediate response. Like most MPs, I expect to have my share of the weekend engagements, although I try to limit the number of Sunday activities. For seven or eight months each year the lives of myself and my wife are dominated by the unpredictable parliamentary timetable, information about which reaches us for the week ahead on Thursday evenings. During these months, 10.30 is the earliest I get home to bed from Monday to Thursday, and 2 or 3am is by no means uncommon. All that seems to me to be part of the "contract" between me and my constituents.

To what else are they entitled? They are surely entitled to expect that I will be open with them about any interest which might affect my capacity to serve them. If I am a director of a company seeking planning permission in the area, or I act as a consultant to a company with interests in the constituency, they should know this. If I am sponsored by a union involved in a dispute in the constituency, they should know that too. The easiest way of dealing with this is to have a public record, as well as expecting the MP to mention it when necessary. This is why the register of members' interests is important.

I believe my constituents are entitled to hope that I shall not behave publicly in ways which call their judgment into question. If I brawl in public or drive recklessly, flaunt a mistress or strip myself naked in Whitehall, the association is entitled to demand an explanation or punish me. If, on the other hand, I behave discreetly and keep my life away from constituency work hidden from the world, how much right has my association to interfere, and on what is that right based? The possibility that something which could cause embarrassment might one day reach a wider audience? It seems a lot to have bought for £32,000 paid for by someone else.

As James P. Lord Chancellor, Francis Bacon cheerfully declared that he would take any bribe that was offered but would not allow it to affect his judgment. But we live in less robust times, and it seems clearly right that if an MP receives money for doing or saying something, he should say so publicly, or be punished. We should, however, be extremely careful about taking the rules too far. In any other walk of life, what people do in their spare time is their own business, and it should be so for MPs. Although there is no clear limit to the job, it is absurd to imagine that MPs should have no spare time. If they choose to use it writing books, taking photographs, reviewing jazz for record companies, appearing on chat-shows or growing prize-winning dahlias, they present no problems, and MPs on both sides of the House rejoice in a wide variety of such profitable sidelines.

So what is the difference if the MP's spare-time activity consists of pursuing the career he had before entering the House? Suppose he used to be a director of a company which had created jobs in and contributed substantially to the prosperity of the area that he now represents? His business's contribution may have been one of the reasons why he was chosen as MP. Is he to be frowned upon for using his spare time to foster its success? Surely not.

So what of the MP whose expertise lies in insurance or stockbroking? Must he renounce his interest in what he used to do?

Many MPs spend less than five years in Parliament, yet that is quite long enough to jeopardise their chances of re-election.

At present there is a clamour for "full-time" MPs. But is Parliament enhanced or damaged by members who deploy their skills and experience in the world outside Parliament? Would the public gain or lose from having a House of Commons consisting only of people who have been forced to forswear any outside activity that enhances their salaries?

Westminster is full of MPs who have too much occupation but too little worthwhile work. The Government has far too much control over the Commons. Britain is too centralised, with the result that governments feel bound to introduce endless legislation, with the result that most of it is poorly prepared, under-scrutinised and very difficult to implement effectively. It is extraordinarily difficult to hold governments to account, and Parliament's links with the European Union are stunted to the point of atrophy.

It is hard to imagine that we are properly equipped for the near century. It would be typically and disastrously British if in our desire to codify a tiny, though important aspect of parliamentary behaviour, we made decisions about the future of MPs without considering the future of Parliament. The author is Conservative MP for Mid-Kent.

The social justice report could present Labour with an electoral double bind, writes Sarah Baxter

Blair's big idea must start from here

Sir Gordon Borrie, the chairman of the Social Justice Commission, has a vivid recollection of the day he went to see Jack Jones, the veteran trade unionist and pensioners' rights campaigner, and explained to him that the report was not a manifesto for the next election, but a strategy for the year 2010.

"What's the use of that?" Jones exclaimed. "Most of my pensioners won't be alive then. I want to know what you are going to do for us now!"

So do we all, but neither the Labour Party nor the commission feels ready to tell us. The report is stuffed with policy initiatives, but they nearly all cost money. The Tories are already totting up the cost in taxes, and Labour is determined not to commit itself to a shopping list with price-tags.

Borrie claims that the recommendations are "self-financing", and it is obviously more productive to assist people to work than to trap them on benefits, but the commissioners say they believe in an "investors' Britain", and the trouble is that investments have started up costs. Hence the denials that the report is a manifesto. Labour's spin-doctors have been stressing that the commission is an independent and purely advisory body. But they are in danger of protesting too much. The commission is Labour's nearest thing so far to a "big idea".

Tony Blair went some way towards

recognising this when he said at the launch that the report was proof that the left-of-centre was coming to dominate the political battle of ideas. He has mentioned before that he favours a volunteer citizen's service, and Gordon Brown and Donald Dewar have already expressed an interest in the idea of a minimum pension guarantee both of which feature in the report.

One of Blair's first moves on becoming leader was to make the secretary of the commission, David Miliband, his head of policy. Last week's appointment of Harriet Harman as Shadow Employment Secretary is another sign that Blair takes seriously the idea that there has been a revolution in women's work since Beveridge drafted his plans for a welfare state based on full employment for men.

If a number of ideas get the cold shoulder, it should be remembered that Margaret Thatcher did not base her 1979 manifesto on the recommendations of right-wing think-tanks

either. Ideas from the Adam Smith Institute and elsewhere helped to determine the intellectual climate, but they were adopted in office, not in opposition, and were usually modified along the way.

The commission began in unpropitious circumstances. John Smith had been embarrassed by the disastrous reception of his 1992 shadow election budget, in which the modest sums raised in taxes were going to be spent almost exclusively on higher pensions and child benefit. The idea was that the commission would quietly overturn his work. The talk then was that Labour could never win on its own again. Lib-Lab cooperation was in the air, and two Liberal Democrat sympathisers were drafted in as members.

The beauty of an independent body was that its work could be disowned if necessary, and the Labour party was already losing interest by the time the commission was launched in December 1992. The devaluation of the pound gave comfort to Labour's

one-more-heavens, who were in no mood to cooperate with the Lib Dems or to examine the reasons for the party's defeat.

The Left and the unions regarded the commission's brief to reform the welfare state as yet another modernisers' plot to ditch everything Labour believed in, and Smith began to worry that its ideas would offend too many traditionalists. But in the past two years the political landscape has been transformed. The family, lone parenthood, community, crime and unemployment have become top political priorities. The Conservatives have also been turning their minds to the reform of the welfare state. Blair wants to make this field his own.

The report's findings will now be chewed over by Labour's internal economic policy commission. They may emerge in the Labour's election manifesto in unrecognisable form, or not at all. But the impression being given in some quarters that the commission's work, while "valuable", is of almost no

consequence, is wide of the mark. The problem is that the Labour Party — and, in particular, the Shadow Chancellor, Gordon Brown — does not want to fight the next election on the Tories' home ground of tax and spending. Yet it is almost impossible to avoid this when drawing up policies for the welfare state.

The commission has been acutely aware of this problem. By suggesting that child benefit for those on high incomes could be taxed, or that graduates could contribute to the cost of higher education, it has tried to raise money as well as spend it. But this approach has two flaws. It means that as well as voters, there are losers who might cause a fuss, and in any case few people are going to be interested in the detailed sums. The fear is the Tories will be able to run a Labour tax bombshell campaign.

Just as serious for Labour, however, would be a return of its 1992 manifesto, in which virtually nothing could be promised except "as resources allow". Some of the spin-doctoring going on this week has that same feel to it, which is rather ridiculous, given that the social justice commission was charged with remodelling the welfare state precisely so that this problem could be avoided. Worse than that, it makes Labour look as though it is still fighting shy of ideas.

Stop excusing tyranny

Indonesia may be able to fool visiting MPs by putting on a show, but officially sanctioned mass murders continue

When I read the singularly unimpressive letter in *The Times* on October 4 from Mr Patrick Nichols, MP, exolling the wonderful newfound cleansed attitude of President Suharto's regime in Indonesia, I was not greatly reassured. (Mr Nichols and a group had been visiting Indonesia, and — surprise, surprise — they found it just as its ruler would have liked them to find.) True, Suharto had promised to murder slightly fewer people in East Timor than had been his practice hitherto, but since he had already murdered a number running to something between half a million and a million, logic alone (to say nothing of the corpses), makes clear that there were substantially smaller numbers left to murder.

But there was another letter, on October 11, from Mr Jonathan Humphreys, and rarely if ever have I seen such a demolition. For readers who missed it, I must summarise.

First, Nichols described his lament as being "all-party". Humphreys says that Nichols's band was made up entirely of Tories and Ulster Unionists. Next, Humphreys reveals that Nichols and friends spent only three days in East Timor, and even there did not leave the capital. Then again, Nichols leaned on a shaky stick when he made much too much of the very guarded statements of Bishop Belo (a most courageous prelate). Indeed, the bishop (who was tape-recorded) said: "It is sad that in three days they can state that they know the situation... and that the people are happy, they agree with integration. I think it is not very fair to say that... They need to stay more and know the people..."

But the splendid Mr Humphreys has not finished chewing Mr Nichols up and spitting him out. Bishop Belo denies that there has been an improvement in the human rights situation, though Nichols says otherwise. And — a *bonne bouche* — during the Nichols-and-company visit, Indonesian soldiers appeared to have been kept off the streets of the capital, but they were back in force as soon as the Nichols left.

Now then: an exchange of letters can be useful, but it is not sufficient. I have before me Amnesty International's comprehensive study of the vast spread of breaches of human rights in Indonesia and East Timor. It is a book of 126 pages, containing catalogue of wickedness that should make Mr Nichols ashamed of himself, but probably won't.

I am sometimes told that terrible though the monstrous Indonesian massacres of 1965 were, those days have long gone. That is a delusion: mass slaughter is still a ready weapon, as I shall show, and Indonesia is today still a stewpot of violations of



Bernard Levin

elementary human rights, including murders. Nor are these committed by ones and twos, as the peaceful people of Dili, the capital of East Timor, could testify, were it not for the fact that in November 1991, 270 peaceful demonstrators were slaughtered by government troops.

Major General Mandir said of that massacre:

"We don't regret anything. What happened was quite proper... They were opposing us, demonstrating, even yelling things against the government. To me that is identical with rebellion, so that is why we took firm action... I don't think there's anything strange in that."

I dare say he didn't, and probably Major General Pramono would agree, because he says:

"I have told the community, if you find a terrorist identification elastic, kill him. There's no need to investigate him. Don't let people be the victims. If they don't do as you order them, shoot them on the spot, or butcher them. I tell members of the community to carry sharp weapons, a machete or whatever. If you meet a terrorist identification elastic, kill him."

But 270 is small by Indonesian standards: when in 1975 the Indone-

sians invaded and took East Timor, they managed to kill — by slaughter, starvation and disease — some 200,000, and between 1989 and 1993 they killed 2,000 civilians during counter-insurgency operations.

That, of course, is the fruit of arbitrary and total rule: Suharto has reigned by brute force for decades now; there are no checks on his actions, no limits to what his armed forces may do. There is no independent legal system. Criminals are killed without any trial (and anyway criminals are who the system says they are), and the authorities boast of the number of their victims.

Now let me introduce you to the Anti-Subversion Law. It is used to justify the detention without trial of hundreds of thousands of alleged government opponents and to put

thousands more through show trials. The Anti-Subversion Law facilitates detention, torture and random killing; it even manages to provide harsher penalties than other laws on political crimes, including the death penalty. But then the "ordinary" laws include seven years imprisonment for "the public expression of feelings of hostility, hatred or contempt toward the government".

Not that there is a need for laws that prohibit the expression of hostility toward the government: such a law is a mirror among the evils of Suharto's reign, for in April this year, the Indonesian authorities woke up to the fact that the Asia Pacific Economic Co-operation summit meeting is to be held in November, and Jakarta must look its best. For instance, it would not do for the foreign visitors to know that there is a substantial crime-rate in Indonesia, which is rising. What to do?

Well, the rate of summary killings of suspected criminals had been, and is, rising, and in April 1994 the authorities announced that 16,700 soldiers and police had been mustered for a

new anti-crime drive, code-named Operation Cleansing. I think my readers can guess why the visitors from other countries were not afforded by the sight of criminals. But just to make sure, I can offer you what was said by Major General Hidar, Police Chief of Jakarta. He said: "Jakarta must be cleared of all criminals. Educating them is no longer an effective means of bringing down the rate of violent crime here. We have no choice but to impose harsh laws."

And what about Aceh? Aceh is a province of Indonesia, and there has long been a peaceful movement for independence. But independence is not a word to speak under the rule of Suharto and his satraps. The time had come to make sure that Aceh would no longer think of something so dangerous. Between 1989 and 1993, some 2,000 civilians — including women, the old and children — were killed by Indonesian forces. Some died in public executions. The bodies of others, killed secretly, were left to rot in public places, having been mutilated. Many were left where they were killed, because the surviving villagers were afraid to go and get their murdered families. This great wave of mass murders began immediately Suharto ordered 6,000 troops to be deployed in counter-insurgency.

As I think I have made clear, the terrible things that still go on in Indonesia are not from years ago. Most, indeed, date from 1988 or later, and many from 1993 or 1994. But if Mr Nichols, MP, visits there in the past, I can offer him the very latest bulletin, hot off the press.

For Amnesty International's Dr Geoffrey Robinson has been travelling through Indonesia for signs — good or bad — that will show whether things are changing there, and he was in Indonesia only a few weeks ago. The signs were bad, and some getting worse. For instance, Dr Robinson found that in East Timor the government intimidation of lawyers and journalists has grown worse, not better. He found the same in the matter of arbitrary killings of criminals, and that among pro-democracy groups it was at its worst. For instance, four men were arrested on 21 September in Jakarta, for releasing balloons bearing messages such as "Uphold the rights of workers" and "The 1945 constitution guarantees freedom to organise". Two of the arrested men were tortured for at least two days.

And so it goes on, perhaps for ever, while our government fawns on Suharto and his thugs, and visitors like Nichols speak good of evil. Well, I can do nothing about that but write words, and that I have done. If a family reads them on the way to a nice holiday in Bali, I wish them only understanding.

Trouble spot

THERE ARE suggestions in Gloucestershire that the Prince of Wales might have resorted to the most experienced of diplomatic outfits to help try to resolve his marital difficulties. Yesterday he was visited at Highgrove by Boutros Boutros-Ghali, the Secretary General of the United Nations. Despite a tight schedule on his trip over here, Dr Boutros-Ghali apparently insisted on a flying visit to Highgrove. He went by helicopter from London, where he is staying at the Dorchester, to the Prince's country home, returning in time to be guest speaker at a black-tie dinner.

But Buckingham Palace says there is no chance of intervention by the blue berets in the war of words between the Prince and Princess. And the Palace refused to comment on suggestions that the Prince was looking for a diplomatic role in international affairs.

"As with all meetings with ministers and statesmen, we cannot say what was discussed. But it was a good opportunity for Dr Boutros-Ghali to meet the Prince of Wales," says a spokesman. "It's well

known that the Prince sometimes sees important visitors from overseas." Boutros-Ghali's office said the visit was made in a private capacity. "Very much so. It was a private visit. We can't say anything about it."

● The Earl of Mansfield, first Crown estate commissioner, paid the price for luxury yesterday. He was fined £100 for prancing a car

HOW MANY TIMES HAVE I TOLD YOU, BRENDA, ... DON'T OVERFILL THE SUITCASE



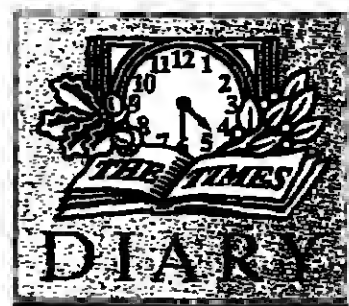
in a car park and driving away. Mansfield explained he couldn't hear the crunch through the double-glazing of his Mercedes.

Stone me

IT IS not only the Government that is reeling from the behaviour of Mohammed Al-Fayed and his Harrods company. Harrods has just ordered a jeweller to leave its premises after 20 years at the store. David Morris's catalogue offers individual items priced at more than £900,000, and the reason for the company's enforced departure is unclear. After warnings earlier this year, the jeweller was given notice to move immediately. "We haven't left willingly, and the matter is in the hands of our lawyers," says a spokesman for David Morris, which is left with a redundant catalogue of its wares on display at the Knightsbridge store.

Which watch?

LAST WEEKS decision to step down from his post was not the first precipitous resignation by Tim Smith, the former Minister for Northern Ireland. Back in September 1989 he stepped down quickly



from his position as group secretary of the British-Iraqi Parliamentary Group, after Saddam Hussein's relations with Britain deteriorated.

Smith had visited Baghdad in the mid-1980s, and everyone in his party was offered a tasteful present of a watch with Saddam's portrait on its face. This of course brings to mind an unfortunate incident involving Michael Mates, another former Northern Ireland Minister, who lost his job over a watch inscribed "Don't let the buggers get you down."

To fortune

THE LUCK of the Irish has petered out for the Royal Shakespeare Company's production of Brendan

Behan's *The Hothouse*. The ceasefire appears to have killed off Michael Bogdanov's tale of Ireland and the IRA in the late 1950s. The play is to close after poor bookings and just 20 performances at the Barbican in London, even though actors were expecting the show to go on. "It's a pity," says one company member. "We had fairly good reviews, and a lot of money was spent on the production." An RSC spokeswoman is sanguine. "Sometimes this happens with bookings. Maybe people have had too much of Ireland and the IRA."

Now on vid

SUGGESTIONS that the Princess of Wales might move to the other side of the Atlantic may not be too wide of the mark. During her brief sojourn in America there were reports that she willed away time in the Carlyle Hotel in New York watching videos of flats for sale (a marketing technique employed by American "realtors").

Many of the videos were about apartments in Trump Tower — an opulent skyscraper built by the eponymous vulgar tycoon — where Michael Jackson, Elton John and a brace of sultans from the East regularly occupy flats. "It's not as mad



Cutting up rough: John Cleese, knife in hand, in *Frankenstein*

as it sounds," says one of the Manhattan cocktail set. "The security is phenomenal and Diana would be treated as yet another rich blond in dark glasses. No one would notice."

Snakes bitten

A STARK warning from John Cleese to fellow members of the Monty Python team: don't act with Robert de Niro. Cleese appears with him in Kenneth Branagh's

Frankenstein, which opens next month. He is a long-haired professor who comes to a sticky end.

"I have a small part as a professor of anatomy who dabbles in the occult. And I get bumped off very easily on by the de Niro character," he says. "I am the second Python he has killed on screen. Michael Palin went first in *Brazil*. He's a dangerous man."

P.H.S



JOUSTERS FOR JUSTICE

The war over welfare is still at the skirmishing stage

It may seem paradoxical that the richer a country becomes, the more it has to spend on social security. As national income grows, one might expect fewer people to be poor and more to be able to save for future incapacity. Yet in real terms, social security spending has increased by two-thirds in Britain since 1979, and by seven times since 1949, the first year in which the welfare state was fully functional. Governments of all hues in all developed countries are now grappling with social security demands that are threatening to swallow their budgets.

Some of the pressures are demographic: more older people are living longer, the number of one-parent families is increasing. Others are structural: unemployment is higher and lasts for longer. Inflation is needed to design systems of benefit that do not produce perverse outcomes, which deter rather than encourage dependency. But as Peter Lilley, the Social Security Secretary, stressed in his Mait Lecture last year, there are no easy answers. If there were, they would already have been tried.

It is in this context that yesterday's report from the Commission on Social Justice should be judged. It is not a grand vision, a "new Beveridge". It is rather a collection of small changes that recognise the difference between today's world and that of the 1940s. Some of its suggestions, such as a national minimum wage, deserve no Tory support. But others should appeal to any rational politician seeking to remove the disincentives that trap people in dependency.

It is sensible, for instance, to look at childcare and nursery education alongside unemployment. The Government has already done so in allowing many people to earn £40 a week towards childcare without their benefits being withdrawn. The CSJ goes further than many in the Labour Party by suggesting that even lone mothers, once their children are at school, should make themselves available for work. But the

corollary is that they must be able to afford decent care for their children.

Working patterns have changed so much since the 1940s that a welfare state work system based on a husband in full-time work supporting a stay-at-home wife look old-fashioned. The CSJ's idea that the married couple's allowance should be phased out and the proceeds spent on helping families with children is sensible. Husbands should not be subsidised because a wife of working age chooses to stay at home even if she has no caring responsibilities.

The social security system also needs to be reformed to recognise the perverse incentives that deter women from working when their partners lose their jobs. At the moment, a woman is three times more likely to be in employment if her partner is working than if he is not. This is creating a divide between two-job families and no-job families. Mr Lilley's White Paper on the new Jobseeker's Allowance, published yesterday, goes a little towards resolving this, by allowing partners to work for up to 24 hours a week (rather than the current 16 hours) before an unemployed person's means-tested allowance is withdrawn.

Tony Blair was wise to keep a distance from the CSJ's more expensive implications. Mr Lilley and his colleagues can be guaranteed to press home their attacks both on Labour's vagueness over commitments and its preparedness to contract out policy formulation to a committee. But what both political parties now recognise is that governments can help the unemployed and lone parents to improve their employability. The White Paper's emphasis is on ensuring that they do not lose their motivation to seek jobs. The CSJ concentrates more on education, training, childcare and making benefits more flexible. Little can be done to reduce the burden of old people on the State: but people of working age can and should be put to more productive use.

AN ETHICAL COMMISSION

Questions beyond cash for questions

The more that has been said and written in the last week about the need for a commission on public service ethics, the less easy such an inquiry has been to envisage. The resignation of Tim Smith and pressure upon Neil Hamilton to follow suit have highlighted a general uneasiness about standards of morality in public life. Publishing the so-called "cash for questions" inquiry carried out by Sir Robin Butler may quell anxiety about this particular case, but many broader questions remain to be answered.

A general review of government ethics would pose many problems — not least the inevitable clash between statesmanlike principle and party political interest. Tony Blair has made integrity a mainstream political issue, contrasting his own party's probity with allegations of Tory "sleaze". Last week, the Labour leader called for three basic reforms to improve ethical standards in Government. In practice, however, his party's tactical interests are best served by Conservative inaction. Should such an inquiry be set up, moreover, each party would have its own private agenda. Tories would seek to fend off any suggestion that political parties become state-funded; Labour politicians would try to divert attention away from local government corruption and towards Tory MPs who have received payment for parliamentary questions.

Such obstacles are not, however, insurmountable. In Ireland, discussion of the Ethics in Public Office Bill in parliament and beyond has shown how useful an exercise of this kind can be. Where the restoration of public confidence in the political process is paramount, a Royal Commission would almost certainly take too long. The Prime Minister could simply ask a par-

liamentary select committee to make interim recommendations before Christmas. But this would court the charge that a broad matter of national interest was being treated as a matter of club politics. Something more than self-regulation is now required.

As a sensible compromise a special commission of inquiry should be given six months to report on the issues of public morality that are now causing most concern. As important as its remit would be its membership. For the commission's findings to be trusted and heeded in Parliament, a number of active parliamentarians would need to be included. These should be chosen by the commission's head in consultation with the main political parties. They should be selected for their experience, reputation and knowledge of parliamentary culture, rather than as glorified shop stewards.

For the commission to be trusted in the nation at large, it must also have members whose integrity is well-established or whose expertise would bring fresh perspective to these issues. An academic with detailed knowledge of the machinery of government — local and central — such as Vernon Bogdanor or Michael Pinto-Duschinsky would be an asset. So too would an experienced civil servant such as Lord Armstrong, who could shed light on the ethical position of ministers. A former minister of the stature of Lord Howe or Lord St John could explain without fear or favour what it is like on the other side of the ministerial desk. Either could chair such a commission; so too could a lawyer of the stature of Sir David Calcutt or Sir Patrick Neill. These names are only suggestions. But it is in such terms that the Prime Minister should already be thinking.

BLACK AND WHITE ISSUE

Pandas are not show business but forlorn hopes of the species

Ming Ming, the giant panda, was flown home to China yesterday after failing to become pregnant during a three-year posting to the London zoo. Her departure leaves Britain with no resident giant panda, and brings to an end panda breeding programmes in Europe. The two specimens of *Ailuropus melanoleuca* in Madrid zoo and the one in Berlin zoo are all males. Efforts to save their dwindling population will now be concentrated in China and at zoos in Mexico City and Tokyo, which have pulled off the delicate trick of breeding cubs in captivity.

In spite of pandamania, this is intelligent modern treatment of the creatures. In the years since Britain received its first giant pandas in 1936, shipped in by a big game hunter, they have become zoological superstars, inspiring strip cartoons and attracting the biggest crowds to Regent's Park. Today the giant panda has been adopted as the symbol of the World Wildlife Fund, for Nature, and represents all the many other species on the brink of extinction, few of them looking as sad or as cuddly as pandas.

There are fewer than 1,000 giant pandas left in the bamboo forests of central China and eastern Tibet, and their habitat is being destroyed by woodcutters and road-builders. The Chinese government has declared them a national treasure. If the handful kept in zoos are not breeding, they are wasting their valuable time in captivity. Apart from their rarity and sorrowful black eyes,

pandas are not much suited to life as zoo celebrities. They sleep for 20 hours a day and spend the rest munching bamboo. The females are fertile for only a few days in March, resist male advances ferociously, and on the rare occasions that they manage to conceive through fecklessness, are dangerous mothers to their tiny cubs. Aside from rarity value, pandas in a cage are not quite as exciting as watching bamboo grow.

The London zoo has always had the twin aim of zoological science and popular entertainment. A generation ago, giant pandas and other exotic rarities provided the fun, while science aimed at the Victorian ideal of an encyclopaedic menagerie of the world's fauna. Game parks, tourism and brilliant wild-life films on television have made the exotic familiar. So the zoo, after near bankruptcy and a nasty skirmish with some of its own sclerotic bureaucrats, has found itself a useful and profitable new role.

As an ark for endangered species, it is breeding Sumatran tigers, Asiatic lions and other creatures almost as glamorous as giant pandas — as well as other threatened species that are creepy rather than glamorous. For entertainment and education, the zoo is introducing children to the grace of animals: with growing skill and professionalism, it is letting them see, touch and learn about other species. As for Ming Ming, we wish her bon voyage home, and as soon as possible the shuffle of tiny furry feet.

Major's power to banish 'sleaze'

From Mr Eric Chalker

Sir, The ramifications of last week's "cash for questions" allegations are not confined to Parliament, nor to its standing with the public.

The Prime Minister has said that he is "determined to see the highest possible standards in public life and that they are maintained" (report, October 21). Yet it is John Major himself who presides over and, at the very least by his inaction, continues to sanction arrangements for the governance of his own party which are directly inimical to the establishment, let alone the maintenance of the standards to which he aspires.

In May 1993 I commented on some aspects of these arrangements in my evidence to the Home Affairs Select Committee when it examined the funding of political parties. Even had the committee given proper consideration to these matters and not simply divided on party lines, this would not have exposed the full extent to which the governing party actually encourages MPs (and party officials) to behave as though they were a law unto themselves.

As an elected member of the Conservative Party's board of finance from 1989 to 1993, I was obliged to accept the imposition of three appointed chairmen during that time. Because they were appointed, neither I nor any of my elected colleagues were able to call them or anyone else to account for any matter concerning the finances of Conservative Central Office. During that time, cash flow was £67 million.

In private correspondence with the Prime Minister in May 1992, and before that with his predecessor, I and some of my colleagues endeavoured to persuade them that historic practice was no longer appropriate and that appointed officers accountable only to them should yield to elected officers accountable to the party membership.

John Major, as did his predecessor, insisted upon his "prerogative" (Margaret Thatcher's word for it in a letter to me), the appointments continued and in July 1992 Tim Smith, MP, followed Lord Beaverbrook as chairman of the board.

As long as the Prime Minister retains to himself sole right to appoint those who control his party's central coffers, accompanied by the sole right to appoint "party officers" under whose aegis Central Office is both able to influence nominations for quangos and political honours and control the party's approved list of candidates, we have a situation which engenders bad behaviour and cries out for reform.

It is essential that the Conservative Party rid itself of the continuing accusations of sleaze well before the next election. This is a problem for the whole party, but only the Prime Minister can initiate the necessary reforms. Party behaviour is the foundation of Government behaviour and party reforms will be the true test of Mr Major's commitment to higher standards in public life.

Yours faithfully,
ERIC CHALKER,
21 Ingleside Close, Beckenham, Kent.

PM's questions

From Lord Campbell of Croy

Sir, As someone who regularly tabled questions to the Prime Minister from 1964 to 1970 when I was on the Opposition benches, I regret, with others (letters, October 19, 21), the disappearance of the subjects except those relating to a day's engagements. In that era, if a subject was deemed important enough, the question was retained by the Prime Minister and not passed to the minister concerned.

The transition to today's routine was caused by the practice of transferring more and more questions to departmental ministers until it became very unlikely that a question would "stick" with No 10. The only certain way of obtaining a reply from the Prime Minister was to ask about diary appointments. This routine, however, cannot make a prime minister's role any easier, as it must be left to guesses what subjects will be raised in supplementary questions.

In an earlier incarnation, when I was seconded from the Foreign Office to work for the Prime Minister (Churchill), I prepared his "notes for supplementaries". I sympathise with my successors. In those days the particular subject raised received a reasonable airing and irrelevant matters were not expected to receive a substantive reply. The time was not spent on elementary party-political point-scoring.

Yours faithfully,
CAMPBELL OF CROY,
House of Lords,
October 24.

Relative values

From Mr David Mann

Sir, In "On This Day" (October 21) you helpfully explain that the 4d paid by an Army officer for a bottle of wine in Cyprus in 1882 is now "less than 1½p".

When will newspapers stop converting currency values in this way as if inflation had never occurred? In 1882 £1 had a value equal to about £50 today. The officer's wine therefore cost him nearer 83p (200d) than 1½p. Still cheap!

Yours faithfully,
DAVID MANN,
Ashdown,
Four Acres, Cobham, Surrey.

Wisdom, wealth, virtue and altruism

From Mr Ian Flintoff

Sir, Nigel Hawkes's contention ("Racism versus science", October 19) that "the more intelligent people are, the richer they are" must throw doubt on his other generalisations about intelligence, race, and social status.

While Plato or Socrates would have equated wisdom with virtue, Nigel Hawkes seems to equate wisdom (or intelligence) with the kind of contemporary greed and ability to manipulate systems which are possibly at the root of Britain's decline as an imaginative, pioneering nation. We understand Nobel Prize-winners (an ever decreasing number) and look to South Korea to bail us out for the incompetence of our Government strategists and businessmen.

The intelligent of Britain are now part of the new poor. They are living in metaphorical cardboard boxes in our universities, research institutions, laboratories, arts centres. Creative individuality — whether in arts, sciences or that more nebulous area that is the genesis of new enlightening thought (recognised, once, in Newton, Thomas Paine, Darwin and Shelley) — is certainly going to make no one rich in modern Britain.

Because intelligence is circumspect, investigative, and outward, at its best it is also altruistic. We have clearly seen in recent years that the new rich of Britain, far from being intelligent in this sense, are inward, grasping, myopic and (dare one say it?) crassly stupid for the disgraceful example they set to the less fortunate.

Yours sincerely,
IAN FLINTOFF,
22 Chaldon Road, SW6,
October 19.

Evidence of child abuse

From Professor Emeritus John A. Davis and Professor Emeritus Thomas Stapleton

Sir, We wish to express publicly our increasing concern about the means by which signs of the so-called Münchausen-by-proxy syndrome — i.e., the creation of hitherto non-existent symptoms in others in order to draw attention to oneself — are beginning to be accepted by certain courts as confirming child abuse.

All too often this evidence is presented in the form of video recordings, made without the knowledge or consent of the woman suspected of mistreating her child, of interviews between the child and social workers or police officers. Yet it is on the strength of such recordings that children can be taken into care and may thus be involved in greater risk of abuse and emotional trauma than if they were left even in a far from perfect home.

It seems to us that the Münchausen-by-proxy syndrome is one of a number of diagnostic categories, remote from the particular facts, which have become an excuse for what sometimes amounts to "witch-hunting" by social workers in collusion with paediatricians. We are not suggesting that such conditions do not exist, or that they

From Mr Stan Gooch

Sir, Herrnstein and Murray's excellent book, *The Bell Curve* (Mind and Matter, October 24), confirms what is already well established concerning the genetic basis of intelligence.

The intelligence of identical twins reared apart correlates .77 (a perfect correlation would be the figure 1.00). The intelligence of non-identical twins reared together in the same home, who have of course also shared the same intra-uterine environment of the womb, correlates only .63.

The correlation for identical twins reared together is .88. Ordinary brothers and sisters reared together correlate .53. And finally, the correlation between a foster child's IQ and that of its biological parents always remains higher, no matter what the social environment concerned, than the correlation between that foster child and its adoptive parents.

These matters are beyond argument, but are only the tip of the iceberg. A further fact is that a large majority of American psychologists who believe that intelligence is determined by environment vote Democrat while a large majority of those who ascribe to the genetic basis of intelligence vote Republican.

These data among a mass of other material show that the tendency to vote left or right politically is also genetically determined. So we have then the supreme irony of all: the belief that intelligence is not genetically determined is itself genetically determined!

Yours faithfully,
STAN GOOCH,
11 Glenloch Court,
Glenloch Road,
Hampstead, NW3,
October 19.

are not a threat to the well-being of some children. We are, however, concerned by the courts' acceptance of interpretations of filmed episodes made by paediatricians whose authority may be based on their professional expertise rather than science and who are not always themselves involved in the case at issue.

We do not regard it as the role of doctors — or of social workers — to act as detectives or informers. Instead, while obeying the law, they should try to help parents in difficulties — parents whose need for help may not be straightforwardly expressed, but is what brings them to the clinic.

We believe that the procedures whereby accusations of any kind of abuse are scrutinised need to be examined and revised.

We would advocate the buttressing of case conferences by a pre-court hearing conducted by an examining magistrate, inquisitorially and in camera. The magistrate should be empowered to summon witnesses under oath, including parents and, where appropriate, the children concerned.

Yours faithfully,
JOHN DAVIS,
THOMAS STAPLETON,
1 Cambridge Road,
Great Shelford, Cambridge,
October 21.

dilute solutions of sugar, concentrated solutions (e.g., jam, honey etc) rarely have bacteria growing on them. Analogously, if a high concentration of sugar is maintained on the wound or ulcer, then bacteria cannot grow due to the high osmotic pressure. Since the wound or ulcer rapidly becomes sterile, the healing process can take place.

By making thick water icing and applying liberally and regularly to the ulcer and holding it in place with a dressing, sufferers of ulcers can very easily treat themselves without involving their GP or the district nurse. Diabetics should consult their GP.

A complete bibliography of the use of sugar for this purpose entitled "Sugar in therapy" is available from the World Sugar Research Organisation, Philip Lyle Building, Whiteknights, Reading, Berkshire.

Yours faithfully,
A. C. RICHARDSON,
2 Norman Avenue,
Henley on Thames, Oxfordshire,
October 19.

The Thames Path

From Mr Ian Allan

Sir, I cannot agree with Richard Morrison ("The best walk in Britain", Weekend, October 15) that the worst part of the Thames Path is at Kingston. The towpath is continuous there, apart from using Kingston Bridge to change banks. The worst part of the whole walk is the 1-mile missing link at Windsor, where a 2½-mile diversion is needed to detour on roads away from the river.

On completion of the walk last month I wrote to the Countryside Commission complaining that the Crown Estate was refusing to restore access, unlike other landowners along the river. The Commission gave me the same excuse mentioned by Richard Morrison: namely, security. I cannot believe this. Is the answer a trespass such as was forced on rambles at Kinder Scout?

Yours faithfully,
IAN ALLAN,
20 Thames Meadow,
Shepperton, Middlesex,
October 15.

Private lotteries

From Mr David Harris

Sir, Tony Jenkins's article ("Tear up the Tory Clause 4", October 12) implies that the Tories, by setting up a nationalised lottery, have banned all private lotteries except raffles and tombolas.

This could not be more misleading. In fact, the Government has passed legislation easing many of the restrictions on private lotteries contained in the Lotteries and Amusements Act, 1976. It has thus allowed them greater freedom to flourish.

Any society registered with the Gaming Board may run lotteries to a total value each year of up to £5 million, each of which may include five top prizes of £100,000.

Yours faithfully,
D. HARRIS,
(Lottery Adviser),
UK Charity Lotteries Ltd,
Buttermere House,
Western Avenue, W3,
October 18.

Letters should carry a daytime telephone number. They may be faxed to 071-782 5046.

Own goal for BBC news flagship

From Lord Boyd-Carpenter

Sir, I wonder whether *The Times*, as leader of the news-reporting newspapers, could bring its influence to bear on the BBC's handling of its most important news organ, the *Nine O'Clock News*.

Last Tuesday, when I turned on my television set with a view to seeing what the latest news was at 9pm, I found that the news had been deferred for the best part of an hour to permit the broadcasting of a number of football matches.

I am sure that these matches were a matter of intense interest to quite a number of people. But it is annoying when news is particularly important to find that one cannot hear it at the normal time. In other words let us ask the BBC to make the *Nine O'Clock News* the 9 o'clock news.

I am your obedient servant,
BOYD-CARPENTER,
House of Lords,
October 19.

A name for Heathrow

From Mr Alan Smith

Sir, Professor Rupert Hall and Dr Norman Smith (letter, October 20) are both respected historians. If they wished to remind the world of a man "for ever associated with man's pursuit of mechanical power" through "his achievements in mastering energy for human use", they need not name England's main airport after a Scotsman.

James Watt (1736-1819) never claimed to have invented steam power. The credit for that should go, as they must surely know, to "the father of the steam engine", Thomas Newcomen, of Dartmouth (1664-1729).

Yours faithfully,
ALAN SMITH,
(Executive Secretary, 1988-1992,
The Newcomen Society for the Study of the History of Engineering and Technology),
The Science Museum, SW7 2DD,
October 21.

From Mr Norman Jenkins

Sir, Your distinguished correspondence has certainly proposed an excellent solution to substituting acknowledgment of genius for mundane location.

But James Watt? Although his work brought steam into a new era of engineering efficiency and British supremacy, his achievement, despite its impact, was contemporaneous development, not innovation.

A greater claim could be made for Sir Humphry Davy (1778-1829). An innovator in several fields, it was Davy who first demonstrated the electric arc and thereby began an insatiable demand for electricity that only now sees a surplus of production.

Michael Faraday (1791-1867), Davy's assistant, contributed the basis of generation and motive power, but not until 1831 — a claim for fame that Gatwick could perpetuate?

Yours very truly,
NORMAN JENKINS,
Whitehall, Ewshot, Farnham, Surrey,
October 21.

From Mr John A. Harries-Harris

Sir, Surely the only possible name must be "Guy Fawkes Airport". After all, had the great conspirator succeeded, the whole of Britain's ruling class would have taken to the air. Watt could never have achieved such a triumph.

The political jiggery-pokery of today surely indicates that Fawkes still represents the spirit of the age.

Yours faithfully,
JOHN A. HARRIES-HARRIS,
47 Berkeley Street,
Scunthorpe, South Humberside,
October 21.

From Mr David Garfield

Sir, One of the more pleasant sides of British life is that we do not indulge in Johnny Foreigner's curious habit of naming their airports and railway stations after so-called national heroes and doggy past politicians.

Heathrow should remain Heath-

row (for that is where it is).

Yours sincerely,
DAVID GARFIELD,
29 Orchard Avenue, Finchley, N3,
October 21.

From Mr W. B. C. Evans

Sir, London's airport is surely already named after an engineer who, even more strongly than Watt, embodies the historic core of all English construction and most certainly is the spirit behind the design of the airport itself. Heathrow is simply an abbreviation of the name of the great complex's creator, Heath Robinson.

Yours faithfully,
W. B. C. EVANS,
Rectory Farm, Top Street,
Elston, Nottinghamshire,
October 22.

From Mr Richard Worsley

Sir, Anyone whose luggage has gone astray when destined for Heathrow must be nervous at the suggestion that it should be renamed Watt Airport.

Yours faithfully,
RICHARD WORSLEY,
Model Farm,
Holtham Park,
Wells-next-the-Sea, Norfolk,
October 21.

The melting attraction

More than 80 plastics firms have now settled in Telford — a good reason to attract new ones

So great was the number of plastics firms attracted to Telford in the mid-1980s that the town was dubbed "plastics valley". More than 80 companies in Telford belong to the general polymer sector, involving plastics and rubber processing and, in the county of Shropshire as a whole, there are over 120 companies operating in the polymer industry.

Shropshire is also home to two of the industry's leading organisations, the British Polymer Training Association (BPTA), based in the new town, and the Rubber and Plastics Research Association (Rapra) at Shawbury, which is nearby.

Polymer activities in Telford span plastic and rubber processing, manufacture, assembly and packaging, including the production of video and audio cassettes, monitors and printers, UPVC windows and wheeled waste containers.

Telford Development Agency, which is responsible for promoting the town as a centre for inward investment, is keen that the growth of the polymer sector should continue apace. The Agency recently commissioned the BPTA to conduct a survey into the significant factors which draw firms to the location. These include good communications, a skilled workforce with long-established experience in manufacturing, low costs and an abundance of greenfield sites.

Plastic Omnium, the French plastics group, has expanded in Telford from 92,000 to 150,000 square feet. The



Future workers in Telford's plastics industry being trained at the British Polymer Training Association

company makes wheeled waste handling containers and supplies mouldings to the motor industry, including Ford and General Motors.

It received financial aid through the Government's regional selective assistance programme but, David Heathcock, the firm's UK managing director, says there were a number of other factors which attracted it to the town, not least the availability of a skilled workforce. Furthermore, he added: "Telford offered a low-cost base with excellent motorway connections to the national roads network."

The first foreign-owned polymer firm in Telford, in 1984, was Maxell (UK) of Japan, which makes video and audio cassettes and floppy discs from its European headquarters in the town, employing 500 people. It trains its workforce through BPTA.

Another, Duple Automotive Components (UK), makes inlet manifolds, water outlets and water connectors for Ford's UK and European market.

The British Polymer Training Association moved to Telford in 1985 and runs a £2 million technical centre devoted to training shopfloor employ-

ees, product development and tooling trials. This year it has started work with the Shropshire Training and Enterprise Council to draft a model scheme for the Government's Modern Apprenticeship scheme.

The Rubber and Plastics Research Association has been based in Shropshire since the early 1950s as an international consultancy with expertise in materials research and new product design. It conducts about 2,000 projects a year for international clients and runs training courses in polymer technology.

Jobs generator Telford creates work for rural people

It must frequently seem to the county council's economic development team that all roads into Shropshire lead to Telford. The town has captured almost all the inward investment into the county — notably that from overseas — and it has organisations of Bothamesque stature banking for it: its own development agency and the Commission for the New Towns, which owns a huge landbank there.

The disparate components that make up Shropshire pose special difficulties for the county council's economic planners, which on the one hand has to help satisfy the job-hungry needs of Telford and, at the same time, compose a policy that will create employment in rural areas and its network of market towns.

The economic development department is based at Shire Hall in Shrewsbury, the ancient county town. Just a few miles east on the A5 is Telford, an artificial new town which was created 25 years ago and now requires 1,700 new jobs a year to meet its growth targets as it expands towards a population of 140,000 by the end of the century.

But the council, a partner in the Telford Development Agency, regards the new town as a magnet for new business that benefits Shropshire as a whole.

Rob Rosson, the assistant economic development officer, says: "Think what Shropshire would be like without Telford. It is a jobs generator and many people from rural areas work there. The fact that it is continuing to attract foreign invest-

New town, new hopes

ment, despite the ending of its regional selective assistance status, proves it has something going for it."

He says the county council, albeit with limited funds, has a wide range of initiatives to develop a positive jobs-creating policy for the whole county including Telford.

Last year its business-support measures provided assistance to over 400 firms, helping to create or maintain 406 jobs.

One of the most notable recent achievements has been a bid with a host of other authorities and organisations that secured up to £18 million of European funding over six years for the rural west of Shropshire, an area of poor communications, with an ageing population and affected by agricultural decline.

Much of the money will be spent on infrastructure improvements to attract economic activity, including small business and tourism developments.

The economic development team's biggest coup of recent years was to attract the German dairy and yoghurt company Müller to one of its development sites

in Market Drayton, where it now employs over 400 people at a £30 million production centre.

Rob Rosson says another foreign firm, on a smaller scale, is expected to move into the county soon. In some communities the creation of perhaps 25 to 30 jobs would be sufficient to revive the local economy.

Unemployment is below the national average at 8.7 per cent in Shropshire, with over 14,000 people claiming benefit, but it impacts heavily in centres of population such as Oswestry and Whitchurch. The council policy is to ensure that there is a business park or industrial development site in each of these locations.

Development forums of local bodies have been formed in many centres to assess economic and social needs, and both Oswestry and Craven Arms are developing business resource centres.

Rob Rosson pointed to the county's quality of life and its low-cost base for businesses. He also listed a series of council initiatives which have been designed to keep the economy on the move: its large programme of training through an in-house training division improving the skills of about 3,000 people a year; a trading mission to Eire by local firms that created export orders; and a new system of small grants to help to keep shops open in rural villages and communities.

He added: "The county council does not create jobs, but it does work hard to enable others to provide jobs."

TEC offers a key to hope for the jobless

As market towns and the countryside go into economic decline, the need grows to train for new employment

Three hundred new businesses were started in 1993-94 with financial help and support services from the Shropshire Training and Enterprise Council, one of the key agencies involved in the task of economic regeneration throughout the county.

The TEC has now been involved in a total of 1,000 new business start-ups since it was established in 1991 and it is estimated that 2,000 new jobs have been created. As a result, the Government-backed agency is pumping about £12 million a year into the local economy through its training, enterprise and education initiatives.

Some of those fledgling enterprises have since gone to the wall, destroyed by the recession, but the TEC's figures show that 76 per cent of the firms it has supported survive for more than a year and 69 per cent are still trading after 18 months.

The creation of new jobs in Shropshire is especially important in many of the county's rural areas and market towns, where changes in the agricultural industry and the decline of smaller businesses have created problems of unemployment and low incomes.

Stephen Jury, the TEC's

chief executive, says a pilot project to help small rural businesses in south Shropshire has proved so successful that it is due to be extended throughout the county. Under the scheme, ten selected manufacturing firms with fewer than 25 employees have been provided with expert business

You can't train people for jobs that are not there?

sales and marketing support which, over three years, is expected to almost double their average turnover to £340,000 each and create a total of 50 new jobs.

Mr Jury said: "We have got to look to smaller employers with growth opportunities to help create jobs. It is no good training unemployed people in skills if there are no jobs."

The pilot programme also involves Shropshire Business Link, which began work in the county in May this year. It has been set up through a partnership of business support pro-

viders — including the TEC and local authorities — as a "one-stop-shop" for a wide range of business services. It has headquarters in Telford and satellite offices in Oswestry and, soon, Craven Arms. A team of 12 personal business advisers have visited hundreds of small firms.

During the past year more than 4,000 young people aged between 16 and 22 have gained work experience and training in Shropshire leading to National Vocational Qualifications with the Jobwise programme. Almost 1,900 long-term unemployed took part in training for work schemes, but only 30 per cent of people leaving the programme were successful in finding work, according to TEC figures, revealing the scale of the difficulties it and other agencies face in providing sustainable employment in the county.

The Shropshire TEC is involved in a range of other initiatives to raise education and training standards and encourage enterprise, including the Investors in People scheme and a scheme under which 10 per cent of the county's teachers have gained temporary placements with local employers.



£2,000m of private and public investment means a better quality of life, a better quality of life

attracts more families, more families means a reliable source of workers both now and in the future.

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the number of school leavers will decline nationally, in Telford the numbers will actually increase.

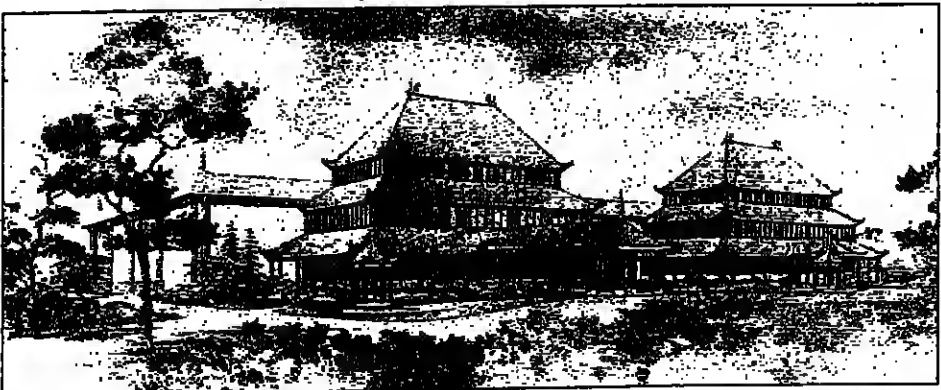
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A pagoda in the fields



An impression of the new European headquarters of the computer company Enta

THE PAGODA style of a new building that will soon show on the Telford skyline heralds the expansion of Enta Technologies, a company founded by businessman Jason Tsai.

Mr Tsai, from Taiwan, set up the firm four years ago as a computer sales and service operation with three staff and a turnover of about £200,000 a year.

It has grown to become a major supplier of personal computer systems, portable PCs and computer components to 3,000 trade customers in the United Kingdom and the rest of Europe and this year turnover will be about £28 million. The workforce has risen to more than 60.

The new £5 million centre due to open next spring will be the firm's European head-

A Taiwanese computer firm makes its mark

quarters. Mr Tsai arrived in Telford in 1980 as a manager with the Taiwanese TV manufacturer Tatung and in 1990 decided to go it alone.

He is a well-known local entrepreneur who has offered accommodation to set up a Chinese school in the new town to serve the children of the growing Taiwanese community of over 100 people. He also gives valuable assistance to Telford Development Agency.

Mr Tsai said he chose to expand in Telford because of the availability of greenfield

sites, the hard working labour force and the excellent communications to the rest of the UK; his new plant is within sight of the M54.

He said: "We supply mainly to the UK, but we are expanding in European markets. Transportation is very good from here and it is easy to get our goods into Europe by truck or by air."

Taiwan is represented in Telford by five firms. The computer company, Mitac Europe, is also enjoying a demand-led growth. It opened a new plant on the Telford Science and Technology Park last year and is increasing production to 7,000 PCs a month. Executives are now considering bringing forward plans which would double the size of the factory.

To: Telford Enquiry Desk, Jordan House West, Hall Court, Hall Park Way, Telford TF3 4NN.

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0800 16 2000

Telford
DEVELOPMENT AGENCY

NEWS

Workfare plan to cut jobless

A tough new benefits regime designed to propel thousands of long-term jobless off the dole was unveiled as the future of the welfare state moved to the top of the political agenda.

Peter Lilley and Michael Portillo, the right-wing axis running the employment and social security departments, joined forces to put the idea of workfare at the core of the Government's strategy. Pages 1, 8, 9

George Walker cleared of £19m fraud

George Walker, the former champion boxer who created the Brent Walker leisure empire, was cleared of theft and false accounting at Southwark. Mr Walker, 65, had been accused of "orchestrating" a £19.3 million profits fraud at Brent Walker's film division. Wilfred Aquilina, 43, former group finance director, was convicted of false accounting. Page 1

Al-Fayed battle

The battle between the Government and the Al-Fayed brothers took a fresh turn as Michael Howard, the Home Secretary issued a detailed clear-the-air explanation of his role in the citizenship issue. Page 1

Tax reform plan

The Commission on Social Justice set up by the late John Smith, unveiled a plan for welfare reform, with proposals to transform the tax and benefit system and help the jobless. Page 8

Diver injured

An amateur diver was crippled for life after being dragged upwards when the dinghy to which he was attached was taken in tow by a fishing boat, the High Court was told. Page 10

Canal revival

British Waterways launched an ambitious plan to reopen lowland Scotland's canal system by the end of the century. Page 12

Silent killing

The serial killer who murdered seven backpackers in Australia used a rifle with a silencer when he shot Caroline Clarke, a British tourist, in the head ten times, a court was told. Page 13

Peace protection

Israel and Jordan began mounting "the mother of all security operations" in an attempt to protect President Clinton and the spectacular peace signing ceremony in the desert. Page 14

Sri Lanka curfew

Sri Lanka imposed a curfew and a state of emergency after a suicide bomb attack killed Gani Dissanayake, a presidential candidate. Page 15

More expulsions

State schools are locked in a spiral of ill-discipline as record numbers of disruptive pupils are expelled. Expulsions more than doubled last year in spite of appeals that exclusion should be a weapon of last resort. Page 1

Sentences increased

Two motorists who killed while under the influence of alcohol had their 18-month prison sentences increased to four years. Page 2

Double killer jailed

A double killer, who stayed silent for two years about his first victim while an innocent man was charged with murder, was jailed for life. Page 3

Airlines' safety call

Airlines have demanded cast-iron assurances that the runway at Heathrow, the world's busiest airport, will be unaffected by further tunnelling work. Page 5

Memorable flight

Two pilots in a replica Vickers Vimy aircraft have landed safely in Darwin after recreating the first flight from England to Australia 75 years ago. Page 6

Bank executive stole £500,000

A bank executive stole half a million pounds so he could live the high life with two mistresses and send his local football club on international tours. Graham Doughty, who used bank funds to fly Concorde, take lavish holidays and buy a home and a business for a girlfriend, was jailed for 4½ years at Birmingham. Doughty admitted theft from TSB. Page 3



John Major with Albert Reynolds (left), the Irish Prime Minister, and Dick Spring, his Foreign Minister, at Chequers yesterday. Page 2

Steel: The European Commission

is expected to announce that its steel restructuring plan, an ambitious blueprint to cut capacity in the EU, has failed and should be dropped. Page 25

Airlines: USAir, 24.6 per cent

owned by BA, reported worse-than-expected third quarter losses and predicted disappointing fourth quarter results. Page 25

Electricity: Share prices in the 12

electricity companies soared after East Midlands confirmed plans for a bonus £187 million hand-out to its shareholders. Page 25

Markets: The FT-SE 100 fell 3.7

to 3029.1. Sterling's index remained unchanged at 80.4 after a rise from \$1.6271 to \$1.6280 and from DM2.4345 to DM2.4371. Page 28

Rugby League: Shaun Edwards,

the Great Britain captain, sent off during the win over Australia, has been banned for three matches and fined £1,000. Page 48

Rugby Union: Jeremy Guscott, the

Bath centre, who has played only twice for his club since recovering from a long-term pelvic injury, is in the England team to play Romania on November 12. Page 48

Cricket: Alec Stewart, of Surrey,

vice-captain of the England side in Australia will miss the team's first four matches after breaking his right index finger. Page 48

Football: The Football League will

take no action against Manchester United for fielding below-strength teams in two Coca-Cola Cup games against Port Vale. Page 45



IN THE TIMES

SALACIOUS SOAP
Lynne Truss, television reviewer, on Sharpe (left) and the latest salvo in the soap war

BY DEGREES
Alan Coren, Times columnist, computes the terms of a virtual education

Crème de la crème: Valerie Grove

talks to Jay Presson Allen, script writer supreme, who wrote the play and the film of *The Prime of Miss Jean Brodie*. Page 16

A Pole apart: "I need to be able to

say I saw it." Ryszard Kapuscinski talks about his 40 years as a war correspondent. Page 16

Evelyn Waugh: Was it too much

potassium bromide, taken with gin, which made him so cantankerous? Dr Tom Stuttaford. Page 17

Fainting fit: A blackout is just a

blackout. Take a victim to hospital and it is complicated. Page 17

Is anyone there? The oja board

case raises questions about the privacy of jurors. Page 37

Family law: A recent test case may

contribute to the reform of the Child Support Act 1991. Page 39

Until Haitians can be trained to

take over, the US Army will be forced into assuming greater control over disarming and policing the country. Now the Army needs to change its doctrine and train units for the sole purpose of peace-keeping. Page 19

Cancer phobia is a mainstay of

American politics and never more so than in matters involving food. Page 19

Now suicide affects those close to the victim is the subject of Daniel Percival's documentary: *You're Better Off Without Me* (BBC2, 8.00pm). Page 43

Jousting for justice

Imagination is needed to design systems of benefit that do not produce perverse outcomes, which deter rather than encourage dependency. Page 19

An ethical commission

As a sensible compromise a special commission of inquiry should be given six months to report on the issues of public morality that are now causing most concern. Page 19

Black and white issue

As for Ming Ming, we wish her bon voyage home, and in due course the shuffle of tiny furry feet. Page 19

BERNARD LEVIN

President Subarto did indeed promise to murder slightly fewer people in East Timor than had been his practice hitherto but since he had already murdered a number running to something between half a million and a million, logic alone makes clear that there were substantially smaller numbers left to murder. Page 18

SARAH BAXTER

Labour's spin-doctors have been stressing that the Social Justice Commission is an independent and purely advisory body. But they are in danger of protesting too much. The commission is Labour's nearest thing to a "big idea". Page 18

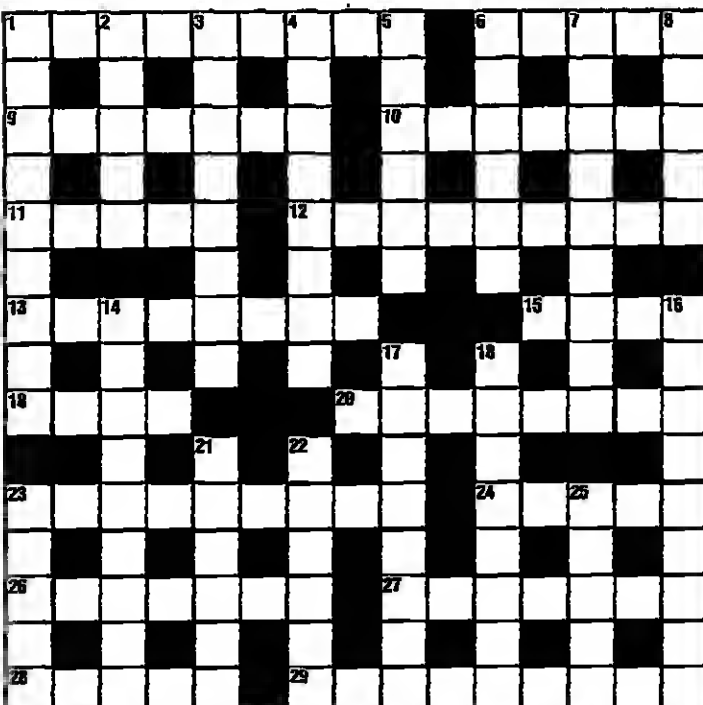
PETER RIDDLE

The Social Justice Commission will have served its purpose if it frees Labour from past constraints and provides an intellectually respectable case for reform. Page 19

Sergei Bondarchuk, Soviet actor and film director; Sheila Minis, former administrator at No 10 Downing Street; Gani Dissanayake, Sri Lankan opposition leader; John Morgan-Grenville, businessman and former High Sheriff for West Sussex. Page 21

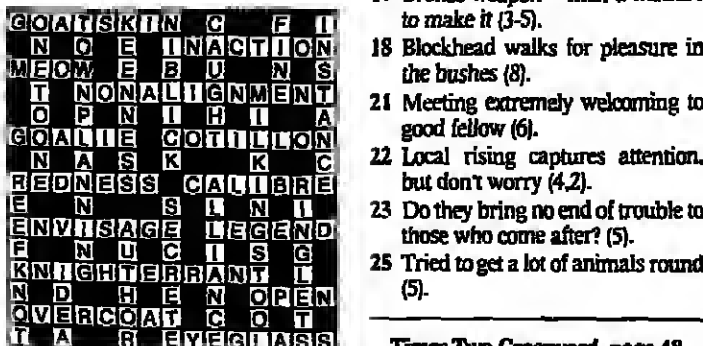
Major's responsibility for Conservative Party behaviour: moving the Nine. Orlock News: intelligence and wealth. Page 19

THE TIMES CROSSWORD NO 19,682



- ACROSS**
- 1 Hoarding food provided on account (9).
 - 6 Party strife? No way (5).
 - 9 Beginning to develop a new climb (7).
 - 10 Illustrator of house and garden? (7).
 - 11 Completely free from obscenity (5).
 - 12 Orderly bringing fruit in jelly (9).
 - 13 Sort of daring, if unbecoming (5,3).
 - 15 Parker's time (4).
 - 19 Amount of ground crusaders wanted to gain? (4).
 - 20 Comprehensive result of Labour win? (8).
 - 23 It gives mixed light and shade (9).
 - 24 Returning, I'd meet outspoken religious leader (5).
 - 26 One failing to attend church (7).
- DOWN**
- 1 Hard tissue used by wife in domestic service (4,5).
 - 2 Strand in city without car (5).
 - 3 One inn able to cook a vegetable like a carrot, say (8).
 - 4 Sit up to keep out cold in polar regions - skilfully done (8).
 - 5 Cleaner speaking to a flower (6).
 - 6 Absorb a reduction (6).
 - 7 Running out of clothes (9).
 - 8 Unwelcome task, getting nothing on top but brown earth here (5).
 - 14 Department of State once had predominance over king - George I, say (9).
 - 16 When not in the capital, I may show such eccentricity (9).
 - 17 Bronze weapon - melt a mixture to make it (3,5).
 - 18 Blockhead walks for pleasure in the bushes (8).
 - 21 Meeting extremely welcoming to good fellow (6).
 - 22 Local rising captures attention, but don't worry (4,2).
 - 23 Do they bring no end of trouble to those who come after? (5).
 - 25 Tried to get a lot of animals round (5).

Solution to Puzzle No 19,681



THE TIMES WEATHER

For the latest region by region forecast, 24 hours a day, dial 0800 500 followed by the appropriate code.

Region	Forecast
Greater London	701
East of London	702
West of London	703
South East	704
South West	705
West Midlands	706
East Midlands	707
North East	708
North West	709
Yorkshire	710
East of England	711
West of England	712
South of England	713
North of England	714
Central Scotland	715
West Scotland	716
East Scotland	717
Wales	718
North Wales	719
South Wales	720
North Ireland	721
South Ireland	722
Channel Islands	723
Isle of Man	724
Shetland	725
Orkney	726
Shetland	727
Orkney	728
Shetland	729
Orkney	730

AA ROADWATCH

For the latest AA traffic and roadworks information, 24 hours a day, dial 0300 401 followed by the appropriate code.

Region	Forecast
London & SE	731
East of London	732
West of London	733
South East	734
South West	735
West Midlands	736
East Midlands	737
North East	738
North West	739
Yorkshire	740
East of England	741
West of England	742
South of England	743
North of England	744
Central Scotland	745
West Scotland	746
East Scotland	747
Wales	748
North Wales	749
South Wales	750
North Ireland	751
South Ireland	752
Channel Islands	753
Isle of Man	754
Shetland	755
Orkney	756
Shetland	757
Orkney	758
Shetland	759
Orkney	760

HIGHEST & LOWEST

Sunday: Highest day temp: Poole, Dorset, 18C (64F); lowest day temp: Southwold, Suffolk, 9C (48F); highest night temp: Southwold, Suffolk, 10C (50F); lowest night temp: Southwold, Suffolk, 8C (46F); highest rainfall: Southwold, Suffolk, 1.0mm; lowest rainfall: Southwold, Suffolk, 0.0mm.

General: England and Wales will have a cloudy start with rain. The more persistent rain should clear away to the east, with brighter but showery weather to follow.

The showers should last into the evening in western parts but in the east they should die out.

Northern and western parts, including Northern Ireland, will have showers, some of them heavy. Many eastern counties, especially those sheltered by high ground to the west, will be largely dry.

London, SE England, E Angles, Central S England, E Midlands, E England, W Midlands, Channel Isles, SW England, S Wales, Central N: rain clearing from the west with showers later, mainly in the west. Wind southerly.

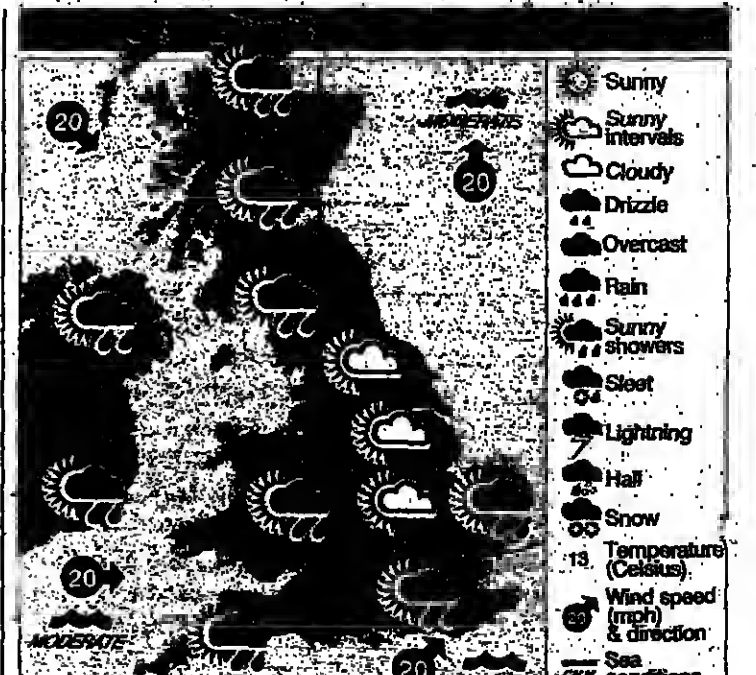
fresh to strong, later southerly westerly moderate to fresh. Max 13C (55F).

N Wales, NW England, Lake District, Isle of Man: showers, some of them heavy, and sunny intervals. Winds southwest moderate or fresh. Max 12C (54F).

NE England, Borders, Edinburgh & Dundee, Aberdeen, Moray Firth: sunny intervals, but a few scattered showers. Wind south, mainly moderate. Max 12C (54F).

SW Scotland, Glasgow, Central Highlands, NE Scotland, Argyll, NW Scotland, Orkney, Shetland, N Ireland: showers, some of them heavy. Winds southwest becoming northwest, mainly fresh. Max 10C (50F).

Outlook: becoming colder. Showery with a brisk wind.



Changes to the chart below from noon: low J will be slow moving and fill; low J and P will move NE and fill; low Q will move NE and maintain central pressure.



Changes to the chart below from noon: low J will be slow moving and fill; low J and P will move NE and fill; low Q will move NE and maintain central pressure.

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Greater London	701
East of London	702
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West Midlands	706
East Midlands	707
North East	708
North West	709
Yorkshire	710
East of England	711
West of England	712
South of England	713
North of England	714
Central Scotland	715
West Scotland	716
East Scotland	717
Wales	718
North Wales	719
South Wales	720
North Ireland	721
South Ireland	722
Channel Islands	723
Isle of Man	724
Shetland	725
Orkney	726
Shetland	727
Orkney	728
Shetland	729
Orkney	730

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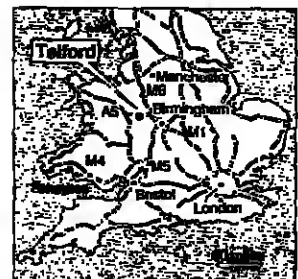
Craig Seton reports on the rebirth of an area which was the cradle of the Industrial Revolution

Telford displays its assets

The Shropshire new town of Telford is accelerating its quest for new investment from overseas as it seeks to build on its international reputation as one of Europe's leading locations for foreign companies.

Created 25 years ago, it now has about 135 international companies based there. Although they represent only a small proportion of its estimated total of 3,000 businesses, they employ one sixth of the workforce — nearly 9,000 people — and are now an integral part of its economic fabric, especially as some of these overseas firms have continued to expand during the recession.

Over the past decade the



foreign arrivals, coming from 18 countries, have been attracted by Telford's huge landbank of serviced greenfield sites, its easy communications with the national motorway network, an adaptable labour force with a manufacturing background and a low cost base.

This overseas presence has given the area's manufacturing industry a high-tech profile. Companies in Telford are involved in the production and supply of computers, discs and audio tapes, televisions and monitors, mobile phones, photocopyers — and a wide range of plastics and rubber processing.

An estimated 1,700 new jobs have to be created in Telford each year to meet the demands of its young and growing

workforce in this town of 120,000 people. Telford Development Agency (TDA), which works to promote the town's potential, is sponsored by the Commission for the New Towns, Wrekin District Council and Shropshire County Council, which looks on its new community as a magnet for investment into the shire where the Industrial Revolution was born.

Although Telford has lost the assisted area status that offered grants to potential investors, David Rogerson, TDA director, believes that will not deter further economic growth.

He is convinced that the presence of blue-chip corporations like NEC, Ricoh, Epson, Maxell and Tatum are proof enough of Telford's worth. He says: "The very large contingent of world-famous names that have come here over the last ten years really must give other companies confidence, and that testimonial aspect will play an important part in their decisions about where to locate."

Taiwan is one of the Far Eastern countries being actively targeted by the TDA, with good reason. Of the eight Taiwanese manufacturing establishments in Europe, three have European headquarters in Telford, including the computer company Mitac, which is expanding rapidly to cope with demand.

Japan and Germany, each represented by over 20 firms, are emerging from their own economic difficulties and once again are on Telford's list as sources of potential new investment, together with America, one of the biggest investors in the new town.

Mr Rogerson says the recent opening of a science and technology park in Telford, and the development of a University of Wolverhampton campus in the town, bolster its economic infrastructure. Business support services



A proud history: Brunel's famous structure at Ironbridge is a World Heritage Site and attracts 300,000 visitors a year

Heritage — true and honest

THE PROMOTION of Shropshire's rich heritage is a key part of the county's strategy to attract investment and create jobs. The county's heritage is a major asset, and the county council is working to ensure that it is properly protected and promoted.

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Joy of setting up campus

Shropshire's first university springs up in the new town of Telford

Shropshire has its first university campus, after the official opening earlier this year of an outpost of the University of Wolverhampton in the new town of Telford.

The first £11 million phase of the new seat of learning — called the University in Shropshire — is on a 23-acre site with Prior's Hall, a Grade II listed, 18th-century mansion house at its core. The new campus buildings springing up include nine halls of residence housing 300 students, a 300-seat lecture theatre, library, teaching rooms, and a technology-transfer centre charged with the task of forging links with industry in Telford and throughout the county.

Almost 1,500 part-time and full-time students doing degree and postgraduate courses are already registered with the university, which is scheduled to expand to 2,500 students by the turn of the century through two more phases of development.

The creation of the University in Shropshire realises the ambitions of Telford new town's planners who, more than 25 years ago, expressed the hope that the fledgling community would eventually support a higher academic institution. It has come to fruition largely as a result of plans conceived by the University of Wolverhampton — then a polytechnic — which sought new space for expansion to cope with a ten per cent annual increase in its numbers.

The university has two campuses in Wolverhampton and two more in Dudley and Walsall, all within the Black Country conurbation, and its administrators decided that expansion could best be achieved by going further west into Shropshire, where there was a distinct lack of higher educational provision.

Lesley Rayner, the university's development executive, said: "There has always been a gap in provision to the west.

Shropshire offered opportunities of a campus amid greenfields and trees; such things are not thick on the ground in Wolverhampton."

The university acquired the 23-acre site from the former Telford Development Corporation, and the campus began to take shape when the Education Department and the European Regional Development Fund put money into the project to support the university's own investment in the development. The overall cost will eventually rise to about £30 million.

Of the university's ten faculties, humanities and social sciences, education, computing and information technology, the enterprise section of the business school and engineering will be represented in Shropshire.

Shropshire offered a campus amid greenfields and trees

Mrs Rayner said the Shropshire campus would be developed largely as a regional or sub-regional centre, with a high degree of part-time mature students from Shropshire and the Black Country — people seeking a second chance to gain higher educational and vocational qualifications.

Full-time courses already available include degree-level business studies, accounting and finance, European business studies and tourism management, plus a social work diploma, and part-time programmes in business enterprise, personnel management and computing.

The University of Wolverhampton is one of the largest in Britain, with over 500 academic staff and about 20,000 students now registered on its five campuses or on distance-learning programmes.

Its administrators regard the Shropshire development as offering a huge opportunity to promote its academic research and consultancy expertise to the business community.

The services it offers include materials testing and management training.

Good sites for investors' eyes

A major attraction for Telford's incoming investors is that 40 per cent of the top-grade development land available in the West Midlands region — 2,000 acres for industrial and residential use owned by the Commission for the New Towns (CNT) — lies within the town's boundaries.

Chris Mackrell, CNT's West Midlands director, says the huge landbank will handily sustain the new town's strategy for continued growth into the next century.

Available land is split evenly between residential sites and serviced greenfield locations — the majority with outline planning permission — for industrial development.

He points to the 96-acre Telford Science and Technology Park on CNT land as evidence of the high-quality developments that have continued to take place in the new town. The new £6 million project at Nedge Hill is targeted to attract "mid-tech" and "high-tech" firms from home and overseas on to its network of 18 landscaped greenfield sites that have been prepared by the Government-backed agency.

The first occupier of the largely speculative development is the Taiwanese computer manufacturer, Mitac Europe, which first started trading in Telford in leased premises, but has now moved to a purpose-built 42,000 sq ft European headquarters on the site. Two further phases of expansion are planned to more than double the size of the facility, and the company has an option to buy another 10 acres from CNT.

The park development, set in 40 acres of mature woodland landscape, is supported by the Telford Development Agency, the University in Shropshire — a new Telford-based campus of the University of Wolverhampton — and the Rubber and Plastics Research Association (RAPRA) and British Polymer Training Association (BPTA), which both have centres nearby.

Mr Mackrell says their involvement will increase hopes that the science and technology development will become a centre for a wide range of companies committed to re-

Telford is proud of its huge area of top-grade development land

search and development and technology transfer links with the new university campus. "Every town wants more high-tech companies," he said, "and Telford is no exception, but we are not forgetting the hundreds of mid-tech businesses that combine research and marketing to sell proven technology; companies that offer excellent prospects for long-term employment."

Industrial land of the kind comprising the new park is fetching prices between £120,000 and £140,000 an acre in Telford while residential sites are being sold at up to

£200,000 an acre. Mr Mackrell said housing land sold steadily throughout the recession to meet the demands of the new town's young and growing population, and this year an estimated 450 new homes will be completed on land sold by CNT to developers. The signs are also encouraging for industrial property.

The CNT is to give Wrekin district council, Telford's local authority, eight acres of land through the Invest in Success scheme, including a town-centre site for a proposed 1,200-seat theatre, which it



Chris Mackrell: upbeat

hopes will attract private finance. Under the competition arrangement, CNT is also putting up three acres of land on the town's new science and technology park to be marketed as a development for small business units.

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Economic Development & Employment Department Tel No: (0743) 252267
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Employee incentives 'profiting companies'

By Philip Bassett, Industrial Editor

MORE companies are introducing profit-sharing and other financial participation schemes, leading to better-motivated employees, new evidence from the Confederation of British Industry suggested yesterday.

Ministers are keen to promote the introduction of employees' financial participation at work, partly to begeth their support for and understanding of the business employing them, and partly to enhance pay flexibility.

A survey carried out by the CBI and Cable and Wireless, the telecommunications company, showed that nearly two-thirds of a sample of 300 companies questioned are operating some form of financial participation scheme.

Annual cash bonuses are the most widespread schemes

used, of those which do not require formal government approval, with 86 per cent of those with any kind of scheme taking this route. Of schemes needing approval by the Inland Revenue, executive share options are the most popular.

Ninety-three per cent of those operating schemes ran them in addition to current pay, while only 19 per cent used them to replace existing pay methods. As many as 84 per cent said participation schemes formed 10 per cent or less of their payroll costs.

Robbie Gilbert, the CBI's director of employment affairs, said: "Financial participation and variable pay are spreading quickly. It could become a significant economic advantage as the payroll may begin to adjust more quickly to changing economic circumstances in the future."

Financial participation schemes are not without their problems, with two-fifths of the companies surveyed citing as one difficulty the fact that the schemes paid too little in bad trading conditions. But 75 per cent said that the schemes had positively increased employees' motivation.

Fiona Colquhoun, C&W human resources director, said the survey's findings confirmed that financial participation was a "significant contributor" to employee motivation. For the Government, Philip Oppenheim, employment minister, said of the findings yesterday: "Employees are increasingly aware of how their interests coincide with those of their employers and that they share responsibility for the success of their business. Financial participation makes that relationship very explicit."

Talks signal Sino-US co-operation

JIANG Zemin, the Chinese President, yesterday met Alan Greenspan, chairman of the US Federal Reserve, and said he hoped co-operation between the Fed and Chinese financial institutions would be strengthened, an official report said.

Mr Greenspan also met Zhu Rongji, the Chinese Vice Premier, who is governor of the People's Bank of China. The official Xinhua News Agency quoted Mr Greenspan as saying he favoured increased co-operation between the central banks and that the Fed was willing to offer assistance in China's reform of its monetary system.



A trader at the Sydney Futures Exchange reacts yesterday to the one percentage point rise in the official cash interest rate to 6.5 per cent, announced by the Reserve Bank of Australia. The rise followed a three-quarter point increase announced on August 17

Consumer confidence slips

By Janet Bush, Economics Correspondent

CONSUMER confidence has slipped again this month, according to the latest Gallup Poll conducted on behalf of the European Commission. A quarter of those questioned thought the general economic situation would improve over the next year but 32 per cent

believed that it would deteriorate, giving a negative balance of 7 per cent. In September, the negative balance was 3 per cent and in August, the month before base rates were increased, 1 per cent.

This month, 34 per cent said it was the right time to make a

major purchase such as a washing machine or television set, against 30 per cent who said it was the wrong one.

On employment expectations, pessimists still outnumbered optimists but by the smallest margin since September 1989.

Kermans' stake sold to firm in Singapore

THE Kerman family has sold its 24.88 per cent stake in Bristol Scotts, the restaurant and property development company it has run for more than 30 years, to a company based in Singapore.

Bryan Burtleson, the founder of Claydon Properties, who says he is a friend and partner of the Kerman family of Singapore, said that the acquisition was an investment. There were no plans to make a bid for the company.

The acquisition was made by Greenpark Investments, a wholly-owned subsidiary of Scotts Holdings, the Kerman family's property group that is unconnected with Bristol Scotts. Greenpark paid £3.16 million, or 188p a share, for 24.88 per cent of the voting shares and its entire voting capital, giving it 26.97 per cent in the group.

Mr Burtleson said Greenpark would take its stake to 29.99 per cent next week, buying "off the market". He said Scotts was likely to seek board representation on Bristol Scotts, and if that were successful, he was likely to become a director. He had not had an opportunity to discuss the acquisition with Sir Ian Rankin, the chairman.

Sir Ian took over last month, when Andy Kerman was ousted by rebel directors. Mr Kerman had taken control in July 1992 after his father, Isidore Kerman, stepped down.

HIV test drug recalled

By Sarah Bagnall

HOECHST, the German chemicals group, is recalling its HIV test drug Emvignost after it failed a blood sample test. The worldwide recall was said to have been ordered by the Federal Agency for Sera and Vaccines and was triggered after a test of a blood sample in June failed to recognise HIV antibodies.

The City said the cost of the recall would not be significant as the drug's usage is limited. The drug is estimated to be used by about 400 AIDS patients.

Peter McDougall, an analyst at Barclays de Zoete Wedd, said: "This is an experimental drug. The company knows exactly which doctors are prescribing the drug. It will not be costly to recall."

The company has the right to appeal against the Federal Agency for Sera and Vaccines' decision.

Pearson confirms Future acquisition

PEARSON, the media group, has confirmed the acquisition of Future Publishing, a privately owned publisher of consumer magazines, for £52.5 million. The deal will earn more than £30 million for Chris Anderson, 31, who founded Future in 1985. His company has 34 titles, including computer magazines such as SegaPower, Gamesmaster and Amiga Format. Mr Anderson is leaving to pursue other opportunities. However, the rest of the senior management are staying with the firm, which employs 400 people.

Future's sales for the year to April were £44.5m and pre-tax profits were £1.9m after a £2.1 million charge for launching new titles and closing others. Mr Anderson started the business with a £15,000 loan and began by publishing a magazine for users of Amstrad computers.

Iberia needs wage cuts

IBERIA, the Spanish airline, said it would be insolvent by March if it failed to reach agreement with employees on implementing a radical cost-cutting plan to curb huge losses. The airline, which made a loss of 69 billion pesetas (£340 million) last year, is asking for wage cuts averaging 15 per cent as part of a restructuring plan. Unions have threatened to strike next month if the company does not pay 12 billion pesetas it owes in back pay.

Germans' 6% pay claim

IG CHEMIE, the German chemical workers' union, plans to claim a pay rise of between 5 and 6 per cent next year for its 700,000 members. The recommendation issued yesterday by the main board will be passed to the union's main works council. The basic pay rise agreed last year was 2 per cent. In comments given yesterday, Edgar Meister, a Bundesbank board member, highlighted industrial wage policy as a requisite to economic upturn with low inflation.

Exxon's income dips

EXXON, the American natural resources company, saw third-quarter net income fall to \$1.155 billion, from \$1.36 billion, a year ago, when there was a one-off gain of \$306 million from tax credits and asset sales. Revenue rose to \$29.56 billion (\$27.92 billion). Exxon said that worldwide crude prices rose slightly, but industry refining margins edged lower. Natural gas earnings were affected by lower prices in America. Earnings per share were 92 cents (\$1.09).

Guinness Mahon post

GILES Shepard, who was ousted from his job as managing director from the Savoy hotel group last month, has accepted a non-executive directorship of Guinness Mahon's merchant banking subsidiary. Mr Shepard will continue as non-executive director of Kleinwort Benson Development Fund. He is also a director of London First, the lobby group whose aim is to make London the place to do business.

BZW Trust raises £78m

BZW Commodities Trust, the first investment company of its kind to be listed on the stock market in London, has raised £78 million through a placing and offer, with applications for a total of 78.15 million shares at 100p a share plus warrants on a one-for-five basis. All applications have been allocated in full and dealings in the shares and the associated warrants will begin on Thursday. The company offers investors access to a range of commodities.

Cullen's advances

THE continuing popularity of its upmarket convenience stores helped lift pre-tax profits at Cullen's Holdings to £114,000 from £18,000 in the six months to August 28. The bottom line also benefited from the absence of losses at its Red's Chicken & Ribs fast food business, which was abandoned earlier this year. The group is now focused on its neighbourhood food stores, where profits rose by 29 per cent. Again there is no interim dividend.

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20 year experience in real estate investments

Crest backed by 69 institutions

By Patricia Tehan, Banking Correspondent

THE Bank of England has said that from Thursday this week, 69 financial institutions will own the company that will run the Crest paperless share settlement system.

Seventy-two firms had said that they would help finance CrestCo, but three of the smaller players, Gall & Eke, Seymour Pierce & Butterfield, and Sobhag Stockbroking, pulled out this week.

The others will put in £12 million needed for the initial financing, which includes the cost of the Bank's design work and the building stage up to the end of next year. Crest is due to be up and running by the second half of 1996.

There are four tiers of ownership, ranging from an initial £350,000 investment to £30,000.

There will be an extraordinary meeting on Thursday, when the company articles and memorandum will be formally adopted.

The advisory committee,



Kent: vital project

which is already operating, makes the business decisions for Crest, while the Bank controls its design.

Once the Bank has built Crest, CrestCo will take over operation of the system.

The new owners of CrestCo are subscribing for redeemable fixed dividend shares with a nominal value of £250, issued at £500 each. The Bank revealed yesterday that the fixed dividend has been set to give the initial holders of CrestCo shares a return of 4 percentage points above the gross redemption yield on the 54 per cent Treasury Stock of 2017, as at today.

Future shareholders, coming in two years after the start of live operations, will get a reduced return of 2 percentage points.

The first dividend will be payable no later than 18 months after the start of live operations.

Pen Kent, an executive director of the Bank, said that Crest was "a project that has a vital role to play in modernising the settlement infrastructure of the United Kingdom. By subscribing for shares in CrestCo, these 69 institutions are not only providing finance for the project, but are demonstrating their commitment to support and use the system when it is completed."

TOURIST RATES

	Bank Buys	Bank Sells
Australia \$	2.23	2.14
Austria Sch	18.18	18.88
Belgium Fr	88.46	89.08
Canada \$	2.305	2.145
Cyprus Cyp	0.792	0.732
Denmark Kr	10.16	9.38
Finland Fmk	8.09	7.28
France Fr	8.36	8.16
Germany Dm	2.23	2.23
Greece Dr	391.00	385.00
Hong Kong \$	13.21	12.21
Ireland P	1.08	0.98
Italy Lira	2895.00	2430.00
Japan Yen	173.00	168.00
Malta	0.619	0.594
Netherlands Gld	2.887	2.887
Norway Kr	11.22	10.42
Portugal Esc	201.00	242.00
S Africa Rd	5.43	5.43
Spain Ptas	211.00	187.00
Sweden Kr	12.94	11.44
Switzerland Fr	2.18	2.00
Turkey Lira	167.00	167.00
USA \$	1.784	1.594

Prices for small denomination bank notes only as supplied by Barclays Bank plc. Offered rates apply to travellers' cheques. Rates as at close of trading yesterday.

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MOLYNEUX ESTATES PLC
(Incorporated in England with Registered Number 1077825)

Introduction to the Official List

by

James Capel & Co. Limited
and
John East & Partners Limited

of

the whole of the issued ordinary share capital of Molyneux Estates PLC

Authorised		Share Capital		Issued and fully paid	
Amount	Number	Amount	Number	Amount	Number
£14,300,000	57,200,000	ordinary shares of 25p each		£10,722,034	42,888,135

The principal activity of Molyneux Estates PLC is that of investment in retail, commercial and industrial properties.

Copies of the Prospectus may be obtained during normal business hours on any weekday (Saturday excepted) from the Company's Prospectus Office, the London Stock Exchange, Cayton Court, 100, Broad Street, London EC2N 1HE. (For collection only) from the date of this notice up to and including 26th October, 1994 and from the date of this notice up to and including 7th November, 1994 free.

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Molyneux Estates PLC
Catherine House
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27th October, 1994

□ Another disaster for fraud office □ Rudd hobbles electricity chargers □ Make your mind up time for GEC

SFO takes Walker rap

□ THEY should have got life. Not George Walker and Wilfred Aquilina, of course, cleared yesterday of fraud after yet another long-running Serious Fraud Office prosecution came unstuck at Southwark Crown Court. But someone should have thrown the book at the ditherheads at the SFO who loaded another ruinously expensive blunderbuss and fired it off in all directions to no great effect.

The George Walker trial was the latest in a discreditable run of disasters for the SFO and the legal system. While such courtroom dramas will always have the public queuing at the turnstiles, the money might be more cheaply and effectively have been disbursed to the Arts Council rather than to a raft of lawyers. The affair arose out of the collapse of George Walker's leisure and property empire after years of expansion when it apparently defied gravity, in share price terms. The SFO's allegation was that the cash at the heart of the group's continuing run of avoidable losses was used to fund a reckless expansion, was never there in the first place.

Some facts are incontrovertible. The whole Brent Walker edifice was indeed built on sand, as some in the City had always suspected. Mr Walker's submission, put forward regularly

and well remembered by those who were there at the time, was that the City institutions were motivated entirely by snobbery. They shunned him and his company, he said, both because of his working class background and in the knowledge of a barely remembered theft charge against him dating back to the early 1950s.

But it must be said that most of the City was not shy of dealing with Brent Walker when there were fat fees on offer from the rash of deals the company carried out. The accounting rules have been changed since, and it is unlikely that Brent Walker, profits, stated in accordance with today's standards, would have looked the same. When the expansion wheel stopped turning, of course, the profits from ongoing businesses that hit the recession head-on were not enough to cover the debt.

All this is a critique of City practice in the 1980s and has nothing to do with recent events at Southwark Crown Court. The jury has clearly found that Mr Walker was not in breach of those accounting rules, and his

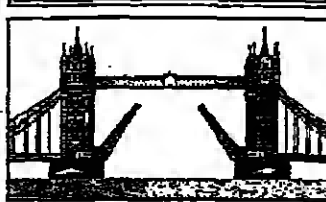
associate only barely so.

But Brent Walker, undeniably, did collapse. The question now is whether the SFO was right in mustering up the awful majesty of the criminal law in addressing this fact, and the benefit of hindsight, along with the experience of Blue Arrow, Guinness II and other costly debacles, suggests it was not. The average jury is all at sea with financial scandals. But as Mr Walker rightly points out, to rely on a judge alone might well have resulted in a manifest injustice, in that a judge's decision might have run opposite to that reached by a properly constituted jury.

East Midlands circuit breaker

□ IF YOU have broken your leg a couple of times running for a train, the notion of tying both ankles together to avoid the temptation again must begin to look attractive. East Midlands Electricity, having made a complete hash of diversifying out of its core business, has now financially hobbled any future

PENNINGTON



management that may be inclined to expand unwisely in future.

At the same time, the company's ability to negotiate past the authorities its 85p-a-share special dividend paying a cut to the taxpayer will attract great interest from other businesses long on cash but short on expansion ideas. The formal documents from East Midlands are likely to be studied with particular care by, for example, the finance directors of GUS or GEC, both of whose share prices, oddly enough, were rising yesterday against the market trend.

The hand of Nigel Rudd, East Midlands chairman and the man who oversaw the stable-cleansing and £130 million of

provisions that followed the departure of John Harris, his predecessor, is easy to discern in yesterday's hand-out. Mr Rudd's main business, Williams Holdings, has now settled down to a more sedate life as an integrated conglomerate after a few hair-raising corporate twists and turns in the late 1980s. Few know as much as Mr Rudd about the dangers of going a deal too far, and it is a pity that circumstances limited his say over East Midlands' strategy in the days of heady expansion.

The defensive attractions of yesterday's hand-out should not be overlooked — banks with empty vaults are always the least attractive to robbers. The unanswered question remains over East Midlands' share consolidation, which will leave 22 shares for every 25 now in issue. Although the company will not comment on future dividend policy, the claim is that this is a tidying-up exercise for employees on its share-save scheme. If it proves otherwise it would give the management another opportunity to push up shareholder value, by raising dividends at the

forthcoming interim reporting season by the sector average on share capital reduced by the consolidation.

Weinstock sharpens his trident

□ A DECISION by Lord Weinstock and his colleagues at GEC on whether to launch a counter bid for VSEL currently the subject of an agreed takeover by BAE, is expected within a matter of days.

GEC, along with advisers Lazards, has been in possession of VSEL's vital statistics for more than a week and, with the Take-over Panel's clock already ticking over BAE's sortie, news from the "bona fide potential offeror" would appear imminent. Bearing in mind VSEL's cash rich qualities, it is not Lord Weinstock's traditional dread of black holes that is likely to prove decisive but rather the outcome of GEC's inevitable soundings at the Ministry of Defence and the Office of Fair Trading. Should GEC choose to enter the VSEL fray, BAE would clearly play the

competition card, the argument being that a GEC/VSEL amalgam would eliminate competition between the Barrow and Yarrow shipyards: the only two UK yards capable of building big warships. More to the point, BAE would argue that a GEC/VSEL deal would effectively give GEC control of whole ship prime contractorship and the supply of major naval platforms.

Whether Lord Chalfont, chairman of VSEL, would argue as vehemently as BAE is less certain: a matter which might be influenced by the scale of any premium on offer from GEC. That said, the OFT may well take its cue from the Ministry of Defence and it is GEC's White-hall soundings which will prove crucial. What the market is no longer betting on is a GEC bid for BAE: unchanged at 470p.

The Harrods tapes

□ TINY Rowland is understandably "staggered" that his lunch discussion with Mohammed Al-Fayed was tape-recorded but stresses he bears "no animosity" towards his former adversary in the quest for Harrods. All the same, Rowland challenges Fayed to produce an "unfettered" version of their 90-minute tête-à-tête. A good job the duo have buried the hatchet, otherwise trust might wear a little thin.

Float-bound EVC forecasts dramatic return to profit

BY NEIL BENNETT, DEPUTY BUSINESS EDITOR

THE flotation of EVC International, Europe's largest manufacturer of PVC, which is being sold by ICI and EniChem of Italy, will value the company at up to 1.2 billion guilders (£438 million), the pathfinder prospectus discloses. The disposal is expected to generate about 668 million for ICI.

The company has also forecast that it will make a dramatic return to profits this year, because of the rising price of PVC and an upturn in demand. The company expects to make an operating profit of 90.3 million guilders this year, against a loss of 26.2 million guilders last year, and combined losses of more than

400 million guilders in the past three years. Turnover is expected to rise by 19 per cent to 2.3 billion guilders.

EVC yesterday announced that its shares will be priced at between 70 and 80 guilders when floated on the Amsterdam stock market next month. This will value the company at between 1 billion and 1.2 billion guilders, slightly below initial estimates.

ICI and EniChem, EVC's joint owners, plan to reduce their combined stake to less than 50 per cent. EVC is also issuing new shares to raise about 300 million guilders to repay borrowings. The company says that it would be paying a 2.1 guildler dividend

for 1994 if it had been a public company all year.

EVC was created in 1986 by a merger of EniChem's and ICI's PVC interests in Britain, Germany and Italy. The company now has 19 per cent of the European market. In preparation for flotation, the company has appointed as chairman Baron Frederik Collet d'Escury, former head of Akzo's chemicals group.

The company is having to restate its figures before the float and is making a 449 million guildler asset write-down and goodwill write-off. Under its previous accounting system, it reported an operating profit of 130 million guilders last year thanks to financial support from its parent companies. EVC will stay heavily reliant on ICI and EniChem after flotation, since they have signed contracts to supply 90 per cent of its raw materials.

Last Friday, Greenpeace criticised the float on the grounds that the burning of PVC releases dioxins, toxic chlorine compounds. In response, EVC's pathfinder prospectus says that the company has an active programme to comply with environmental laws and that it does not consider PVC harmful to consumers or the environment.

As a safeguard to some environmental risks, EVC has been given indemnities by ICI and EniChem, which will contribute up to DM60 million to cleaning up EVC sites for up to eight years after the float.

EVC admitted that it had recently found CFC gases to be leaking from the cooling system of its plant at Wilhelmshaven, Germany. It says it is providing a CFC-free system.



Collet d'Escury: EVC post

Maxted quits Pillar board

BY CARL MORTISHED

ROBERT Maxted, largely responsible for building up Pillar Property, is resigning from the board only two months after the company came to the market in a £170 million flotation.

Pillar said yesterday that Mr Maxted was leaving to seek other opportunities because his role as property director had not fully met his expectations.

Mr Maxted said that he had previously been chief executive but accepted the post of property director when Raymond Mould and Patrick Vaughan, the company's founders and respectively chairman and chief executive, returned from Brussels to head the flotation team. He added: "The role I accepted turned out not to be as challenging as I hoped it would be."

Mr Mould said he was disappointed, but not surprised, by Mr Maxted's decision. "We are sorry that he has decided his future lies elsewhere."

City property specialists were surprised at the low profile of Mr Maxted when Pillar launched its flotation marketing campaign. He is regarded as the architect of the group's £300 million

plus portfolio during the period when the company's founders were abroad. It is believed that he felt constrained in adopting a more subordinate role. Mr Maxted, who is leaving Pillar at the end of December, is thought to be in search of a new property vehicle to take public.

Mr Mould said that the decision to leave Pillar had been entirely Mr Maxted's and that no compensation would be paid to him.

Pillar's portfolio of 26 properties was acquired in the depths of recession with the financial backing of its shareholders, which included Electra Investment Trust and the General Electric pension fund in the US. The strength of the portfolio was said to be the reason behind the success of Pillar's flotation. The public offer was subscribed five times after previous property offers had flopped owing to fears over interest rates and overvaluing in the market.

Since the flotation, Pillar has set up a retail property joint venture with a Quebec pension fund group and made a bid for the Blackfriars site of the Mermaid Theatre in London.



Parting of the ways: One year after EFG, the garden centre and horticultural products group, raised £3 million through a rights issue, Robin Garland, chief executive (pictured above), expects a change of corporate direction (Martin Barrow writes). The company says that

while no suitable acquisitions have been found within its present sphere of activity, the disposal of unwanted assets is complete and it wants to invest in new activities, which will give an acceptable return on investments. The company yesterday announced a

decline in profits to £615,000 in the half-year to July 31 from £804,000 in the previous period. Earnings were 1.3p a share, down from 3p, with an additional 31 million shares in issue after the cash call.

APV action fails to halt share slide

BY MARTIN BARROW, CITY NEWS EDITOR

SHARES in APV, the manufacturer of equipment for the food and drink industry, fell 6p to a new low of 61p despite a denial that it was in danger of breaching banking covenants.

The company moved swiftly yesterday to allay fears that large provisions against the restructuring of its liquid foods division would cause a technical breach of net asset value and interest cover levels set out in its banking covenants. The provisions, which have not yet been formally quantified, could range between £20 million and £50 million, analysts estimate.

Gerard Tyler, group treasury manager, said that on current projections, APV expected to stay within its covenants. Once the company had quantified the charge, it would

talk to its bankers "if it was necessary" before making a provision in its year-end results, he said.

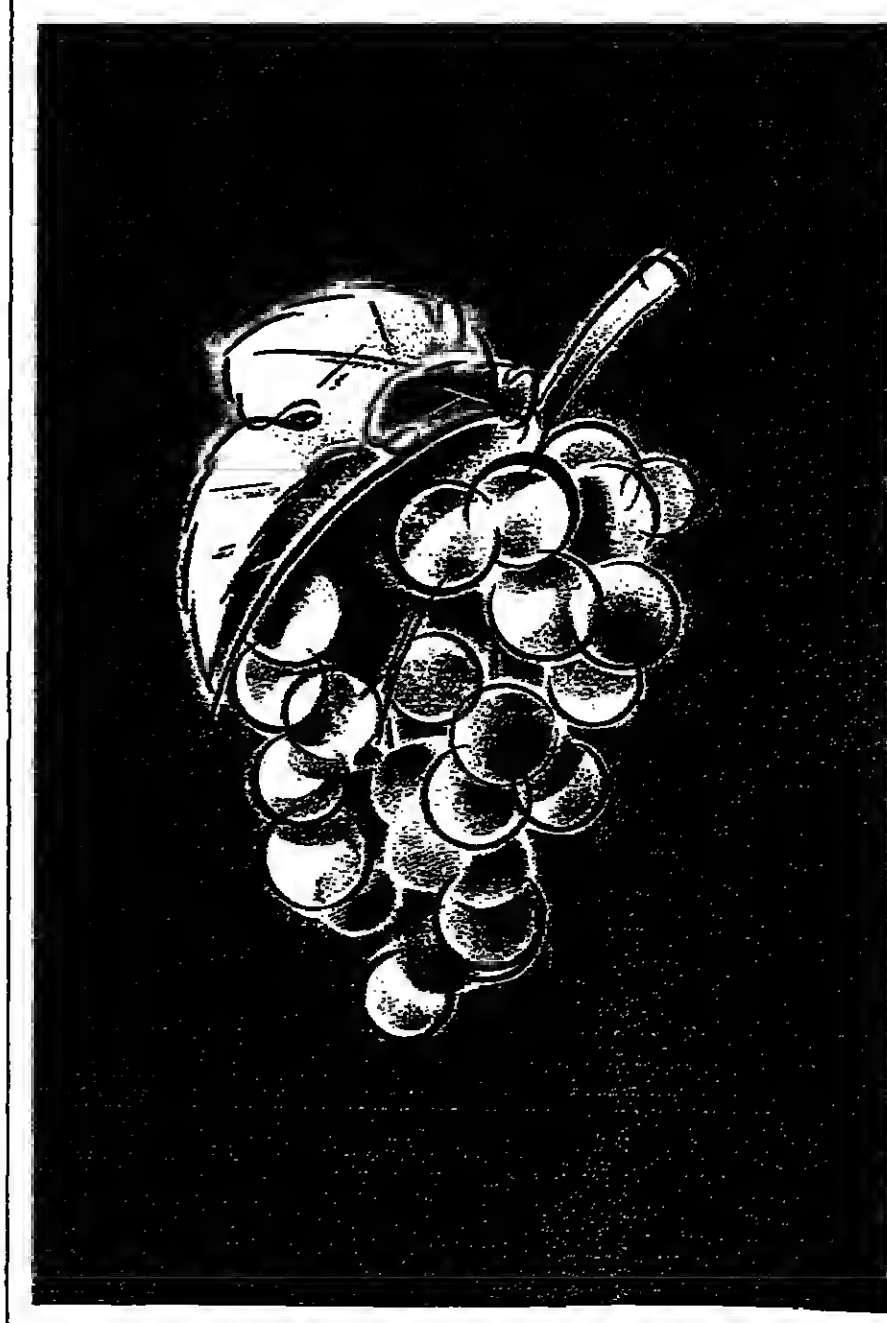
Renewed fears about the company's uncertain prospects were triggered by comments by Zafar Khan, an analyst at Société Générale, who said the company would be "on tenterhooks" until the year-end. "It is a very tricky situation for them," he said.

Mr Khan said a restructuring charge of as little as £20 million, at the lower end of City expectations, could put the company in breach of covenants on net asset value and interest cover. Mr Khan said he understood the net asset value set out in the covenants was about £110 million and the interest cover was about 2½ to 3 times.

The company had net assets of £129 million at the half-year stage. He said any breach of interest cover covenants would depend on whether the restructuring provision was taken "above or below the line". A breach of covenants on net asset value or interest cover would put the group at the mercy of its banks, Mr Khan said.

The banks could also force the company to make further asset sales, but this would leave group strategy in disarray as remaining operations were "well-integrated".

Last week, Clive Strouger resigned as chief executive of APV "by mutual agreement". His departure came soon after the company's decision to cut the interim dividend to conserve cash for the restructuring, the cost of which will leave the company with an overall loss for the year.



live la difference!

Bula agrees Russian takeover

BY CARL MORTISHED

BULA Resources, the Irish oil exploration group, is taking control of a quoted Russian company that owns four fields in western Siberia, estimated to contain reserves totalling 500 million barrels of oil, worth some \$263 million.

In the first takeover for shares of a Russian oil company, Bula has agreed to acquire a 51 per cent interest in Akt-Oilyr from its parent, Russian Transcontinental Financial and Industrial Corporation (Russian Corporation). Bula is buying an option over the controlling stake for \$5.5 million, plus an 8 per cent stake in Bula's enlarged share capital. Exercise of the option would lift the Russian Corporation's stake in Bula to 26 per cent and the total investment by Bula to \$25 million. Bula, which yesterday announced a

loss of Ir£1.9 million for the year to December 31, is placing Ir£2 million of shares and raising Ir£2 million in an open offer to shareholders to fund the deal.

Jim Stanley, chief executive, said that foreign companies were not allowed to control Russian natural resource assets, but Russian Corporation's 26 per cent interest in Bula plus the addition of three Russians to the Irish company's board is enough to change the perception. "They will exercise very significant influence over the company, sufficient for the Russian Federation to feel it can be regarded as a Russian company," he said.

Mr Stanley said that the initial fields to be developed were not more than 8.5 miles from a pipeline, reducing the cost of export, and the entire project costs would be low, in the region of \$70 million. First produc-

tion from the fields should be within six months, he said. Bula has been negotiating the deal since May, and, according to Mr Stanley, did extensive due diligence to establish ownership of assets and Akt-Oilyr's financial health. "No Russian company is added to the standards of a Western company," he said. "We will be conducting a proper audit."

The attraction of the Siberian assets is low-cost production, with Bula estimating uplift costs of only about \$1.50 per barrel, but export tax could take as much as \$5 under the current fiscal regime.

Bula has promised much but delivered little, with pre-tax losses since 1988 and a long legal dispute with Tara Mines, an Irish mineral company. Bula shares resumed trading yesterday, closing at 3½p.

Tempus, page 28

East Midlands Electricity sets rivals' shares alight

NOT even the prospect of a spate of share buy-back programs could quell investors' appetites as the equity market gave up early on a lead to finish lower on the day.

East Midlands Electricity set pulses racing by confirming reports that it intends to spend its cash reserve of £186.5 million paying a special interim dividend of 85p a share. It also intends to consolidate the number of shares in issue into 22 shares for every 25 shares previously held.

But East Midlands followed the announcement by going ex-dividend thereby preventing would-be shareholders from taking advantage of the offer. Calculating the dividend to be paid also proved a headache for brokers and was another reason why the price ended 45p lower on the day at 660p as almost 2.5 million changed hands.

The move by East Midlands contrasts with most of its rivals which have used their spare cash to buy back shares. It said it intends to maintain the flexibility of buying back up to 10 per cent of its equity.

Needless to say, attention on the rest of the sector although a number of the RECs have already spent any spare cash they possessed buying back their own shares. Gains were recorded Eastern, 77p to 756p, London, 15p to 704p, Midlands, 6p to 735p, North, 17p to 779p, Northern, 8p to 780p, Seaboard, 10p to 410p, South West, 14p to 743p, South Wales, 14p to 780p, Southern, 25p to 751p, and Yorkshire, 29p to 715p.

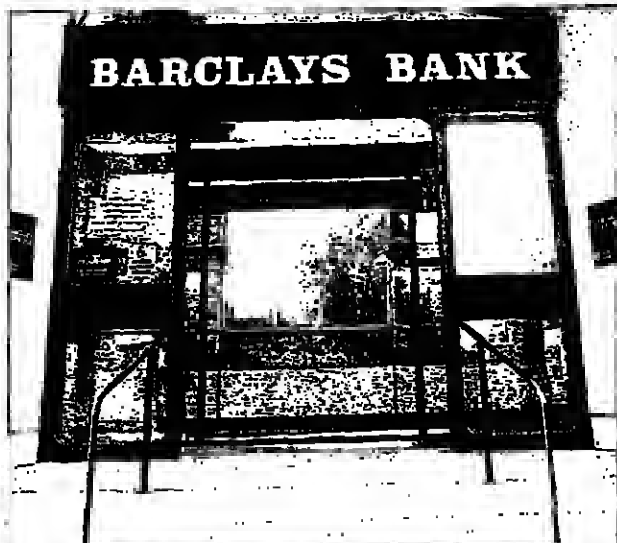
Share buy-back fever also spread to the banks following weekend speculation that a number of the high street operators were ready to spend as much as £2 billion buying back their own shares, or by paying a special dividend. The spotlight fell on TSB Group, up 4p to 225p and Barclays, unchanged at 572p, after briefly touching 585p.

The speculation follows claims by Smith New Court, the broker, a few weeks back that either Barclays or TSB could be likely candidates for a share buy-back operation in order to reduce spare capital. But both companies last night were playing down the suggestion. TSB said there are no immediate plans for such a move, while a spokesperson for Barclays said: "We feel it's a bit premature and have no



STOCK MARKET

MICHAEL CLARK



Shares buy-back talk gave Barclays an early lift

plans to ask for shareholder approval. We're certainly not doing anything on our sleeve".

NatWest Securities, the broker, was yesterday telling clients to add to their holdings in the sector while rival Credit Lyonnais Laing remains positive about Barclays but is a seller of TSB.

Elsewhere investors could find little to cheer about. An

acquisition of DPS Pharmaceuticals.

BICC was another faller dropping 13p to 333p. Its Balfour Beatty construction arm is one of the lead contractors working on the collapsed Heathrow tunnel.

Rank Organisation firmed 2p to 415p ahead of third quarter figures from Xerox Corporation on Thursday. Xerox

Moss Bros, the formal menswear group, climbed 37p to 375p cheered by better than expected interim figures showing pre-tax profits trebled at £1.92 million on turnover 18 per cent higher at £30 million. The group also made positive noises about the traditionally stronger second half which had started well. Same store sales were 15 per cent ahead and gross margins were maintained. Two new stores were opened in the first half and the group expects to open a further five before the year end.

The lacklustre performance by the rest of the equity market made the debut performance of Filtronic Comtek, the mobile telephone equipment manufacturer, that much more impressive. The shares placed by Panmure Gordon, the broker, at 105p touched 117p before ending the day at 113p, a premium of 8p.

Bristol Scotts, the restaurant chain was steady at 200p. The near 25 per cent stake in the restaurant chain was sold to Greenpeace, a subsidiary of Scotts Holdings, the Singapore-based property group, has paid £3.16 million for Isadore Kerman's family holding. This raises its total holding to £26.97 per cent.

Shares of Bula Resources returned from suspension unchanged at 33p following the acquisition of a 51 per cent stake in four Russian oil fields. To help finance the deal the group is arranging a placing of new shares.

GILT EDGED: Gifts marked time for much of the day ahead of tomorrow's auction and Friday's US GDP numbers. But prices suffered a late fall mirroring similar losses in US T-bond and German bunds as investors continued to ponder the implications of inflation and a weaker dollar.

The December series of the long gilt closed at its lowest for the day in thin trading which saw only 23,000 contracts completed. It ended £107 1/2 down at £107 1/2. The longer end of the cash market bore the brunt of losses with Treasury 9 per cent 2012 losing 1/2 at £103 1/2, while in shorts Treasury 9 1/2 per cent 1999 finished 1/2 off at £102 1/2.

NEW YORK: Shares were lower at midday after early gains in the blue chips evaporated. The Dow Jones industrial average was down 7.07 points at 3,884.23.

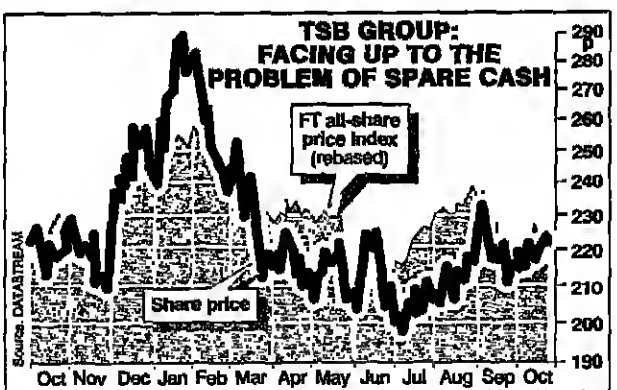
WELLCOME fell 24p to 627p as Goldman Sachs, the US securities house, reiterated its sell recommendation. Analyst Paul Krikler is worried about growth potential as the patent on Zovirax, the anti-herpes treatment, begins to expire. He says that based on Wellcome's 1994 rating, the shares are overvalued.

early 20 point mark-up on the back of the excitement centering on the RECs and banks was eventually frittered away. Dealers reported an absence of any follow-through which was reflected in the low turnover of just 456 million shares.

Among the leaders, Smith-Kline Beecham dipped 8p to 411p on talk that the US Food and Drug Administration was looking at its recent

rox and Rank jointly own Rank Xerox. On Friday, Rank is expected to issue a trading statement giving a rundown of current prospects.

English China Clays finished 14p down at 336p as the shares went ex-dividend. Dealers say sentiment was also undermined by Smith New Court which has switched its recommendation from a buy to a hold.



LONDON COMMODITY EXCHANGE			
Commodity	Price	Change	Volume
Dec 94	938.07	Mar 95	1044.10
Mar 95	971.99	May 95	1095.04
May 95	981.90	Jul 95	1104.00
Jul 95	994.93	Sep 95	1090.10
Sep 95	1007.10	Nov 95	1000.00
Nov 95	1020.10	Dec 95	1000.00
Dec 95	1020.10	Jan 96	1000.00
Jan 96	1020.10	Feb 96	1000.00
Feb 96	1020.10	Mar 96	1000.00
Mar 96	1020.10	Apr 96	1000.00
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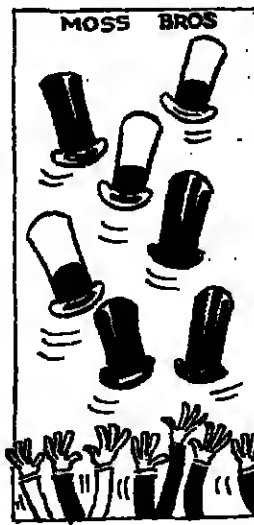
THE TIMES CITY DIARY

Eurotunnel by a neck

THE trials and tribulations of the Channel Tunnel have been mentioned with interest at the Bell Mall head office of Nuclear Electric, the state-owned nuclear generator. John Collier, the well-padded chairman, enjoys occasional outings to Lords and the Oval with Sir Alastair Morton, his opposite number at Eurotunnel. Three years ago, Collier bet Morton that the enormous Sizewell B nuclear plant on the Suffolk coast would be up and running before the first fare-paying passenger descended beneath the Folkestone chalk. Now, as Eurotunnel creeps towards launch day, Collier looks likely to have lost the bet — but only by a whisker. Sizewell B is due to go "critical" towards the end of November. Eurotunnel expects to start taking fare-paying passengers on November 14. Collier, who was a fast bowler in his younger and leaner days, will not suffer too greatly. The stakes? A mere £50 and a bottle of champagne.

Hunter hunted

CHRISTOPHER Sykes, top Asia hand with Goddard Kay Rogers, the so-called "headhunter" to the City, is changing tack. After two years with GKR in the leafy surroundings of St James's Square, Sykes has himself been headhunted by the rival firm of Heidrick & Struggles, which handled last year's thankless search for a new man at the Stock Exchange. As head of Heidrick's growing Asia arm, he plans to spend his time juggling between Hong Kong, London and America. "You just can't get enough people to go around," he tells me. "There are some good people coming out of the US and Europe, along with local indigenous talent people in their thirties, very bright, Western educated. The market remains extremely buoyant." Sykes starts early next month.



FORWARD thinking? In Islamabad, the Yellow Pages phone directory lists "Embassy of the Republic of Australia..."

Royal soap star

THE Queen's visit to Russia is expected to feature in the daily soap opera *House of Windsor*, which communicates business concepts in a similar way to the agricultural information conveyed in the BBC's *The Archers*. Broadcast on Russian state radio, the programme enjoys an audience up to three million. Gordon Heald, who heads Russian Research, was formerly managing director of Gallup, in Britain, and monitors the daily audiences of every major Russian TV channel and radio station. In addition to testing awareness of UK business, his team will survey the average Russian's attitudes to the Queen's visit. "We expect a keen following for the business programme equivalent to *Radio 4* called *How Business Works*, since it attracts over five million listeners," Heald says.

COLIN CAMPBELL

Tories and Labour take up battle stations over jobs

The welfare White Paper and Labour's 'social justice' report are poles apart, says Philip Bassett

When Michael Portillo appears today before MPs to give, for the first time since he took over as Employment Secretary, his views on jobs and the labour market, he will be keen to promote the approach laid out yesterday by the Government in its White Paper on welfare and work. Labour MPs will be equally eager to test him against the proposals of their party's Social Justice Commission.

Mr Portillo has been uncharacteristically silent on his detailed thinking since moving from the Treasury. That is partly because of the annual bidding on public spending, which tends to quieten ministers until their department's financial settlement has been reached; partly it is because he has been critically evaluating virtually every aspect of his department's work; and partly it is because, as is widely recognised, he has a personal political agenda ranging far beyond the work of the Department of Employment.

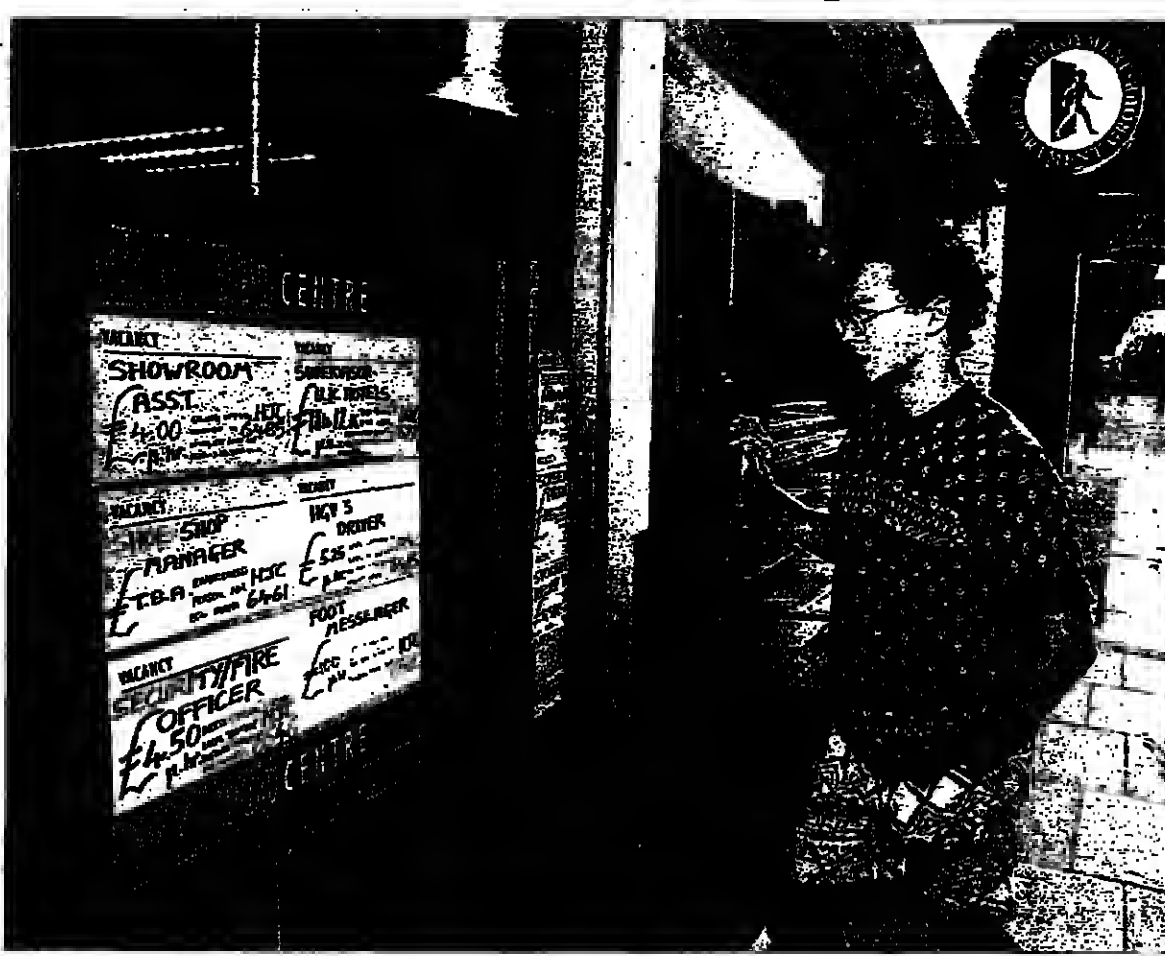
But the Commons all-party employment select committee will try today to pin him down on labour market specifics, as will the leaders of the 82 business-led Training and Enterprise Councils who will see him privately, concerned about suggestions that he is taking an axe to their budgets and cutting by a third the Government's Training for Work programme for the adult unemployed.

The real battleground is the ideological debate over the future of employment in Britain. This was set out yesterday in the two coinciding reports from the Social Justice Commission and the White Paper setting out the new Jobseekers' Allowance, which will replace unemployment benefit.

The two documents offer fundamentally different approaches to jobs and economic competitiveness, and indicate that a future Labour government led by Tony Blair would have an employment strategy wholly different from a Conservative one led — possibly — by Mr Portillo.

But the two do overlap. Both set out from a realisation that the "social security" system is in need of fundamental reform, and both emphasise active rather than passive labour market measures to combat unemployment. Their key emphasis — derived at least in part from the "tough love" doctrine of mutual responsibility favoured by President Clinton — is on the need to get people back into work, rather than maintain them on benefit. There, however, the similarities largely end.

Sir Gordon Borrie, the chairman of the Social Justice Commission and the former director-general of Fair Trading, said yesterday: "We offer a hand-up, not a hand-out." The commission's business voice, Christopher Haskins, the chairman of Northern Foods, attacked what he called "mindless deregulation", emphasising the need for



Unemployed people will soon have to sign contracts requiring them to demonstrate steps taken to obtain work

partnership and social justice as a key factor in Britain's competitiveness, and gave warning of the damaging impact of job-shedding. "Unemployment is a spectre that haunts the Treasury and City institutions as much as shipyard workers on the Tyne," he said.

By contrast, the White Paper from Mr Portillo and Peter Lilley, the Social Security Secretary, emphasises the importance to economic recovery of the Government's deregulatory labour market policies, which, the document



Portillo: cutting budgets

says, are "delivering clear results" in contributing to the "sustained and welcome fall in unemployment" across the country since the beginning of last year. Mr Portillo was pulling few punches when he made clear that a key target for the Government was what he called the "work-shy".

The Social Justice Commission sees work as central to wealth and welfare, citing as its objective the need to transform the welfare state from "a safety net in times of trouble to a springboard for economic opportunity". Its complex report, running to more than 400 pages, puts forward proposals for economic, educational, social and employment reform. It rejects the Jobseekers' Allowance in the White Paper, as well as US-style welfare and the "too rigid" Training for Work. Instead, it argues for a minimum wage, direct wage subsidies to employers and an Australian-style Jobs, Education and Training pro-

gramme to alleviate long-term unemployment by ensuring that everyone registered as unemployed for more than 12 months gets a job.

It avoids being trapped in the argument about less or more regulation of employment. Accepting that "it is possible to over-regulate a labour market", its emphasis on the importance of "intelligent" regulation parallels its call for an intelligent welfare state.

The Social Justice Commission report is long on theory and prescription. The White Paper, by contrast, concentrates on the realities of the new benefits that will come into force in April 1996. It makes clear the Government's intention to improve the operation of the labour market, secure better value for money for the taxpayer and improve the service offered to unemployed people, and says the Government's active labour market measures "are designed to give individuals that competitive edge" they need to fight effectively for jobs.

The Jobseekers' Allowance "will be a means of support while an unemployed person looks for work, not an income for a lifestyle divorced from work". The Government will no longer pay unemployment benefit automatically for 12 months — currently £45.45 a week, with a partner's addition of £28.05 a week. The new allowance will halve the duration of non-means-tested benefit to six months. After that — and

from the start, for people with no National Insurance contribution record — those out of work may qualify for means-tested Jobseekers' Allowance.

One effect of this will be to cut unemployment totals, as measured by government statistics. Whitehall officials estimate that in the first year of the Jobseekers' Allowance, 90,000 claimants will lose their entitlement to benefit, and 150,000 will have to switch to means-tested benefits.

Such large-scale changes in benefit make it certain that even with falling unemployment, the allowance will be politically controversial. Another cause of friction will be the Jobseekers' Agreement, a contract that people will have to sign when they become unemployed. The idea of a signed contract, under which the Government provides benefits while Jobseekers demonstrate the steps they are taking to get back into work, draws on features of US welfare-to-work schemes that impressed David Hunt, Mr Portillo's predecessor, when he saw them in action on a trip to America last year. Failure to sign the contract would lead to loss of benefit.

The White Paper also spells out the details of the Government's Back to Work bonus scheme, which will allow people to take up part-time work while receiving the Jobseekers' Allowance to help them back into the world of work.

Labour market analysis and the importance of employment are to the fore in the conclusions of the Social Justice Commission. But the White Paper is about labour market reality — and tough reality at that. Unemployed people might look yearningly to the promise of one — but they will have to deal with the reality of the other.

Early Christmas for investors in East Midlands

Martin Waller sees an electricity company's shareholders blessed by a special dividend and the taxman

East Midlands Electricity's Christmas present to its shareholders is the most generous gift yet to a class of investors who are beginning to look like the spoilt brats of the stock market.

The news, unexpected even after an autumn of share buy-backs aimed at enhancing shareholder value, sent shares of the 12 regional electricity distributors surging yet again. Just two months after abrupt rises when the government regulator, charged with the task of making their lives difficult and cutting prices to their consumers, tried to crack down on their burgeoning profitability.

Holders of sector front-runners are looking at a share price nearly 3.5 times what they paid in December 1990, when the companies were privatised and the Government badly undervalued an investment that has since proved one of the safest on the stock market. East Midlands can afford to give away £187 million and still have gearing of just 20 per cent — the dream of most finance directors.

Equally generous has been the Inland Revenue's treatment of the East Midlands special dividend. Negotiations have won the company a probably unprecedented tax concession: its private shareholders will pay no tax at all on their windfall.

The huge cash balances electricity has been amassing have become both a source of embarrassment for industry bosses already unpopular because of headlines about generous pay and share price options and a political and financial risk.

The political risk comes from the threat of punitive action from a Labour government or from an unpopular Conservative administration keen to notch up political brownie points. The financial risk arises because, next April, the Government's "golden share", giving control of the distributors, lapses. It will then presumably be open take-over season. Such cash-

generative near-monopolies as the distributors were always bound to appeal to predators such as Hanson or foreign utilities seeking entry to Britain; add a couple of hundred million pounds in the bank and the attraction is overwhelming.

Looming ahead of the sector remains the "problem" of what to do with the National Grid, the network linking power generators and distributors. The Grid was handed virtually free to the 12. Five years on, the latest valuations suggest that when the Grid is floated on the stock market next summer, it could be worth up to £5 billion. Stiff punitive taxation of proceeds of the Grid sale remains a threat that many distributors are already counting into calculations.

So far, six distributors have gone into the market to buy up to 10 per cent of their own shares, with the benefit to remaining shareholders that added scarcity value lifts the price and cuts the cost of dividends to the company. Another three, Northern, Midlands and London, have used hybrid schemes to buy shares back from institutions; these are meant to be more tax efficient, but the full tax benefits are as yet unproven. Two companies yet to act are Southern, cash-rich and highly profitable, and Yorkshire, with up to £150 million potentially tied up in a scheme to buy the company supplying power to Stockholm.

Nigel Hawkins, utilities analyst at Hoare Govett, sees East Midlands' action as positive for the sector. "East Midlands' concentration on shareholder value will be seen as a beacon for the other distributors. In the same way that two years ago Eastern's concentration on cost-cutting was," he said. "Second, I think the Inland Revenue clearance can only attract a great deal of interest from other stocks with substantial cash balances, such as Southern Electric."

"Third, East Midlands have emphasised there will be no diversification... I think that particular commitment will focus the minds of other distributors."

6 Private shareholders will pay no tax at all on the windfall

Pros and cons of privatised pensions for civil servants

From Mr Colin Stewart
Sir, May I, as a lucky fellow basking in the security of an index-linked pension (according to Pennington, October 19) make two comments?

The first is that he is absolutely right; that I should have nothing to fear from having a private-sector pension instead. Those in the private sector may legitimately fear that their pension rights will not be met because their funded schemes may have to be wound up, but the Civil Service scheme is not going to wind up, is it?

Even if a funded Civil Service scheme were to become inadequately funded on an ongoing basis, as can apparently happen in the private sector, it would not matter. If the suggestion is that the promised index-linking should be limited to 5 per cent per annum, so as to bring the public and private sectors into line, that should be negotiable in present conditions.

Of much greater importance from a macroeconomic point of view are his comments on the growing imbalance between the numbers working and the numbers retired. The solution to this problem is said to lie in making advance provision for meeting the cost of pensions (and of health care), but here there are two problems. It would be quite a strain for those at work to save up for their own old age at the same time as they are having to pay taxes to meet the costs of my generation's pensions and medical needs. Also, it would be essential to have a sufficient supply of suitable investments (not government stocks) available to accommodate the growing savings. At present, it is not clear just how much of the financial needs of the elderly should, or could, in

future be met from their own savings, including perhaps savings in funded pension schemes for civil servants, teachers, etc, and how much paid for out of general taxation at the time. Perhaps Pennington could address this question in a future article.

Yours faithfully,
COLIN STEWART,
8 The Chase,
Coulston,
Surrey.

Civil Service facts

From the Secretary, Council of Civil Service Unions
Sir, The piece by Pennington "Crack in Sir Humphrey's nest egg" (October 19) is one of the worst and most inaccurate pieces of reporting that I have read in a long time.

The first fact that has to be registered is that the current average Civil Service pension drawn at retirement is no more than £4,700.

The second is that the cost of this is not met by the taxpayer: it is met by a notional deduction of around 6.5 per cent from civil servants' salaries, and an additional contribution by civil servants of 1.5 per cent of salary. The balance of 8.5 per cent is paid by the employer in the same way that all employers contribute to their staff's occupational pen-

All benefits should be inflation-proof

From G.E. Smith
Sir, I do not know why Pennington criticises index-linked public service pensions. What he ought to be doing is campaigning for all pensions to be inflation-proof.

Firms put up prices to keep pace with inflation and if they are efficient, their profits do the same. Employees, including Pennington, expect their salaries or wages to keep pace.

sion schemes — many more generously than this.

The third is that all public sector pension schemes are inflation-proofed, not just those of civil servants. The inflation increases received are based on movements in prices, not salaries.

By law, all pension schemes are inflation-proofed, admittedly up to a ceiling of 5 per cent, but many schemes in the private sector are so flush with money from the success of their investment funds that they frequently award increases above the rate of inflation.

There is no fund to support such increases in Civil Service pensions or scheme improvements because the money paid by civil servants goes straight into the Exchequer, not a pension fund, as happens with contributions by members of private sector schemes.

There is nothing generous about Civil Service pension provisioning, and the value of benefits has fallen well behind those of the good company pension schemes, such as Abbey National, ICI, BBC, Granada, Siemens, Hoover, British Gas, Rothmans, Woolwich Building Society etc.

Yours faithfully,
JOHN ELLIS,
Council of Civil Service Unions,
58 Rochester Row, SW1

Bonds may be index-linked

Why should only pensioners be in a time warp? I suspect his comments were just demagoguery, which *The Times* ought to be above, and which has so undermined the morale of public servants, both central and local.

Yours faithfully,
G.E. SMITH,
Downfield, Pilgrims Way,
Detling, Kent.

Ending directors' moral dilemma

From Mr John Hines
Sir, Your article "Directors torn between greed and fair reward" (October 18) reminds us that the conduct of many highly paid directors is legal but immoral.

Morality is about human relationships and a crucial test in society is how the powerful relate to the weak. Here the powerful choose to accept pay and perks which can be ten, twenty or even one hundred times greater than they give to many of their employees.

The excuses for this are well known and include: "We are in the private sector now"; "Salaries must be internationally competitive"; and "the remuneration committee fixes our pay".

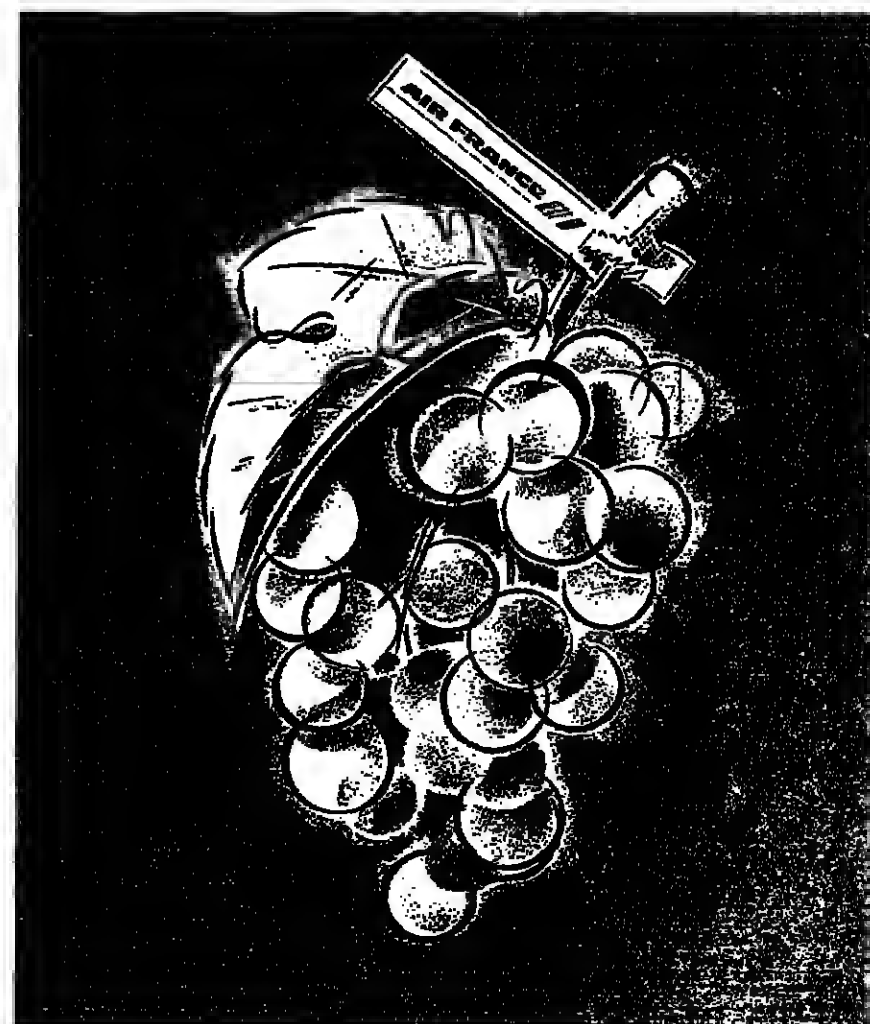
I suggest a solution to this moral dilemma. Some years ago directors of many large companies joined a "1% Club" through which they magnanimously gave 1% of shareholders' profits to good causes.

I propose a "50% Club" whereby the highest paid give half their net income to a similar fund, the proceeds to go to the lowest paid and a list of all donors to be published.

This would solve the dilemma of those very high earners who are reluctantly having wealth thrust upon them — and clearly define, by their absence, those who are simply mean and immoral.

Yours faithfully
JOHN HINES,
Flat 3,
20 Pevensey Road,
St Leonards-on-Sea,
East Sussex.

Letters to the Business and Finance section of *The Times* can be sent by fax to 071-762 5112.



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MUSEUMS page 34

Londonderry's
pioneering Tower
Museum is named
museum of the year

ARTS

THEATRE page 35

Shakespeare for
everybody: stand by for
a demonstration of
collective Will-power



VISUAL ART: A controversial question of attribution is aired in London; plus the latest regional shows

Mastery dispels mystery

Richard Cork has no doubts about the National Gallery's disputed Michelangelos

In December 1914, the young David Bomberg took his future wife Alice to the National Gallery. He told her only that they were going "to see a real picture". On arriving, he hurried her through the rooms without allowing a glance at the images they contained. Bomberg wanted Alice to keep her eyes for one painting: Michelangelo's *The Entombment*. With infectious excitement, he enthused over its bold composition. She later remembered how he concluded that even the most innovative of modern pictures "had their beginning with the Old Masters, and Michael Angelo [sic] was the chief of these".

Although artists as avant-garde as Bomberg found the stony dynamism and audacious simplification of *The Entombment* so stimulating, Renaissance commissioners were sharply divided over its attribution. Bomberg had "no doubts, declaring that 'it fills me with no little amazement that this masterpiece, this quintessence of Michelangelo's art, should encounter so little acceptance'. But other experts retained their scepticism, and were still more unwilling to attach Michelangelo's name to another disputed National Gallery painting, *The Manchester Madonna*.

Part of the trouble lay in the pictures' condition. Patently unfinished and damaged, both panels have lost their bloom. Compared with Michelangelo's celebrated *Doni Tondo* in the Uffizi, these two works look battered and unresolved. But the National Gallery has now decided that they are indeed wholly from the master's own hand. With the help of a scholarly catalogue by Michael Hirst and Jill Dunkerton, an absorbing new show attempts to place the pictures securely within Michelangelo's oeuvre.

Nobody can prove his authorship with cast-iron documentary evidence. The history of both panels is too obscure, and *The Entombment* was discovered by a Scottish photographer in Rome after it had been discarded, dirty and unlabeled, by Cardinal Fieschi. But now that they have been restored, and set in the context of Michelangelo's early years, their claim looks convincing. The experts who rejected them

“The experts may be misled by comparisons with his Sistine work”

may have been misled by comparing the pictures too hastily with the Sistine ceiling. The towering assurance of that supreme fresco cycle shows an artist working at the height of his energy and inventiveness. *The Manchester Madonna*, by contrast, is now dated to 1497, when he was only 22. Seen in this light, it suddenly makes sense.

For even Michelangelo did not spring, fully formed, into swarming maturity. He began his career in the workshop of Domenico Ghirlandajo and his brother David. Productive and sought after, they would have provided their young apprentice with an excellent training.

Paintings by both his teachers are included in the first room, revealing the extent of Michelangelo's debt. They help explain why Charles Eastlake, the National Gallery's Keeper in the 1840s, decided that *The Manchester Madonna* was the work of Domenico Ghirlandajo.

The differences between master and pupil are, however, far more telling. Domenico's *Virgin and Child* (c.1480), is a placid, uncomplicated and, in places, microscopically detailed work. Mother and infant exchange glances filled with straightforward affection, while the distant landscape is defined in minute detail. The Virgin pulls a protective veil round her son with complete maternal confidence.

No such comforting certainties can be found in *The Manchester Madonna*. The landscape has dropped away completely. Only a band of sky serves as a plain backdrop for the seven figures dominating the composition. Two of them are simply blocked in, nothing more than wraith-like hints of the angels they would have become. And the Madonna herself wears robes where the preliminary hatching is still visible, handled with a vigour strikingly close to the crisp strokes of ink in Michelangelo's undisputed pen drawings.

Despite her incomplete state, she is realised with a sculptor's feeling for palpable volume. It would be easy to imagine her as a freestanding statue. The Madonna's right breast is exposed, as if in readiness for feeding. But her child is in no mood for milk. With one foot



The Entombment: convincingly the work of a man who would, seven years later, be ready to embark on the Sistine Chapel ceiling

intimately resting inside the fold of her robe, he leans forward and tries to clasp the book in her hand.

The thin drapery around his thigh is relatively finished, and handled with great delicacy. It seems to be rippling in response to the impulsive motion of the limbs beneath. The boy's eagerness for knowledge is vividly conveyed, and a slight smile plays on his mother's face.

All the same, the pleasure she takes in his liveliness is tempered by sadness. Burdened by the prophetic awareness that his curiosity will end in tragedy, she lowers her eyelids with an air of weary resignation. Grief is intermingled with joy in this bitter-sweet painting, more complex by far than the Ghirlandajo panel.

The incipient melancholy is carried over to the angels who pore over a scroll where Christ's agony is foretold. Their androgynous faces are painted with great sensuous-

ness. But their expressions are overcast with foreboding, and one angel leans on the other as though in search of comfort.

Only an artist of exceptional ability could have executed this understated and yet immensely moving picture. Its emotional ambiguity is conveyed as persuasively as its instinctive grasp of monumental, simplified form. In the past, *The Manchester Madonna* has been linked with a group of superficially similar paintings, and the best of them has been borrowed from Vienna to hang beside the National Gallery panel. But the latter is clearly by a different, vastly more accomplished hand. The Vienna picture could only have been produced by a plodding, even clumsy associate of Michelangelo.

Recently uncovered evidence proves that Michelangelo purchased a panel for a painting in June

1497. It could well have been *The Manchester Madonna*, and three years later he was paid 60 ducats for an altarpiece, destined for the church of Sant'Agostino, Rome. He later repaid the money, after moving back to Florence. But the National Gallery's *Entombment* is the right size and subject for the abortive Roman commission. Its incomplete state is also compatible with the abandoned altarpiece, and the image's power must be the work of an artist determined to reinterpret his subject in an arresting way.

This *Entombment* seizes on the physical effort involved in moving a heavy corpse. Christ's feet have only just left the ground, at the start of his awkward journey up the heavy steps to the tomb outlined in the rock-face beyond. The formidable figure of St John, resplendent in a brilliant red robe which discloses the play of ample muscles beneath, stiffens as

he takes the lifeless body's weight. This heroic figure is precisely the kind of ambitious image which Michelangelo would have wanted to produce in his mid-twenties.

So is the rest of this compelling panel, even though its damaged and incomplete state will always impede a wholly definitive assessment. Arriving at a subtle fusion of titanic exertion and contemplative pathos, *The Entombment* convinces me that it is the work of a man who would, seven years later, be ready to embark on the overwhelming achievement of the Sistine ceiling. No wonder that Bomberg found himself mesmerised by *The Entombment's* vitality when he contributed to another dynamic renewal of European painting four centuries later.

● *The Young Michelangelo* is at the National Gallery (071-539 3321) until January 15

AROUND THE GALLERIES

INEVITABLY, given the size and complexity of her wood sculptures, Ana Maria Pacheco works slowly. As a sculptor, that is: as a painter and printmaker she is extraordinarily prolific. Her last major sculpture, *Man and His Sheep*, appeared five years ago, and toured extensively: it consists of a sort of John the Baptist figure leading human sheep through some kind of wilderness: the "sheep" do not look altogether at ease and the overall effect is decidedly sinister. This piece reappears in Pacheco's new show at the Gas Hall, Birmingham Museum and Art Gallery, but now accompanied by the large new piece she has been working on in the interim, *The Longest Journey*. This must have some tangential reference to the innumerable boat people who have launched out into stormy waters during the last few years, but as usual Pacheco escapes any direct political reference. Along with these two major sculptural groups she is showing recent drawings and prints, and a series of ten large paintings called *In Illo Tempore*, which develop the same imagery, somewhere between the circus and the torture chamber, in intense, infernal colours often emerging from a surrounding darkness. *The Gas Hall, City Museum and Art Gallery, Chamberlain Square, Birmingham (021-235 1966) until Dec 31*

IN FRANCE the 50th anniversary of Robert Wierick's death is being marked by a major touring exhibition and many lesser signs of respect. Wierick (1882-1944) was, in effect, where the great classic tradition of French sculpture ended up after Rodin, Maillol and Bourdelle. Like those masters he seems to have been by nature a modeller rather than a carver, and certainly had an extraordinary skill in rendering the human body, particularly female. In this, he is perhaps most closely comparable to Maillol: though he was momentarily touched by the Deco tendencies of Bourdelle, essentially he remained true throughout his life to Rodin's vision of strength-in-fluidity; the surface of his bronzes is always alive with implied movement, going beyond naturalism to an equivalent of Impressionism, in which illusion created by the play of light is all important. The show at the Bruton Gallery, which specialises in French sculpture of this period, also includes his powerful sanguine drawings, more solid than Rodin's elusive vision on paper and exerting an overwhelming physical presence. *Bruton Gallery, 35 Gay Street, Bath (0225 466292) until Nov 12*

JOHN RUSSELL TAYLOR

OPERA: Unknown Rubinstein, youthful Wagner and the "other" *Bohème* staged at the Wexford Festival in Ireland; Poulenc revived at Snape Maltings

Devil has best tunes

This year's Wexford Festival is the 13th and last under the leadership of Elaine Padmore (she will be succeeded by Luigi Ferreri, also artistic director of the Rossini Festival in Pesaro). It is neatly representative of the many skills she has brought to her task — in addition, of course, to digging out half-forgotten operas that every opera buff has heard of but probably never seen.

Padmore has brought Wexford's once-homely production style into line with the rest of the world. Shows in the Theatre Royal would now not look out of place in, say, Bregenz or Aix. The benefits here are arguable: if you are performing an unknown opera, there is a case to be made for staging it in a fairly traditional, accessible fashion rather than subjecting it to the latest in directorial chic. On the other hand, Padmore has given us early sightings of such household names as Declan Donnellan, Nicholas Hytner, Richard Jones, Steven Pimlott and Francesca Zambello.

And Padmore has proved herself a canny casting director. In her first festival (1982) she gave an unknown baritone called Sergei Leiferkus his first opportunity in the West. Since then the floodgates have opened and there was a fine

roster of Russians for the most successful of this year's operas, Rubinstein's *The Demon* (1874).

Rubinstein was regarded with suspicion by the hardline nationalist Russian composers of the day simply because he had studied composition in Germany. He was instrumental in founding the St Petersburg Conservatoire in 1862, and one of the first pupils was Tchaikovsky. Their musical languages are not dissimilar, in that their Russianism emerges through a thoroughly professional filter. *The Demon*, full of folk music, is also a very well-made opera.

Drawn from Lermontov's Byronic poem, it is half *Flying Dutchman*, half *Beauty and the Beast*. The eponymous outsider, one of Chaliapin's great roles, starts by mocking heaven and all its works and ends up humanised by his love for the heroine Tamara: a perfectly possible Happy End is thwarted by the intervention of a bossy and officious Angel.

More of the work's elemental power might have come across in a production less ice-cold than Yefim Maizel's, in a set by Paul Steinberg that was all white walls and skew-whiff doors. And presenting the protagonist in a white suit and Panama hat robbed him of much of his mystery.

But the opera was wonderfully sung, especially by Anatoly Loshak in the title role. He uses his beautifully warm high baritone with the expressiveness of a Leifkus. Marina Mescheriakova (Tamara) commands both decibels and a melting pianissimo. The open-throated young tenor Valery Serkin, as Tamara's ill-fated fiancé (disposed of before the first of three acts is out, the flaw in the libretto), promised much for the future, and Alison Browner was superb as the mezzo Angel. Alexander Anissimov, in charge of the National Symphony Orchestra (first-rate in all three operas) made the strongest possible case for a fascinating work.

In the "other" *Bohème* Leoncavallo demonstrates with blinding clarity the difference between talent and genius. The composer's own libretto is singularly ill-judged, all Bohemian roistering in the first two acts, all death and disaster in the last two. And while Leoncavallo's efficient score is standard verismo, Puccini's is throughout touched with genius, though it must be said that Albert Rosen, 70 this year and a greatly undervalued conductor, did everything possible to redress the balance.



Superb Russians in a Russian rarity: Anatoly Loshak as *The Demon*; Marina Mescheriakova as Tamara

The hyperactive boisterousness of Reno Nicker's production grew wearisome, but the tragic denouement was compellingly staged in Russell Craig's ingenious set. Magali Damonte, last season's French Carmen at Covent Garden, was a glamorous Musette in every way. Jungwon Park an affecting Mimì (she's a sparker girl than in Puccini), and there was an outstanding Rodolfo from Patryk Wroblewski, a gifted American.

No opportunity to see Wagner's apprentice work *Das Liebesverbot* (1835) is to be sniffed at. There are acres of bad music in the composer's own adaptation of *Measure for Measure* — mock-Rossini, mock-Bellini, mock more or less anything — and Wexford's ruthless cutting could only be welcomed. There are also

QUESTIONS of theatrical workability aside, Poulenc's *Les Dialogues des Carmélites* is a finely shaped score, with characters beautifully and subtly drawn within their self-imposed confines.

Time and again in this ambitious opening event of Aldeburgh's October Britten Festival on the theme of "Britten and the French Connection", especially in the first act, one is reminded of a signal debt to Debussy's *Pelléas et Mélisande* in the flexibility of declamation and the subtly expressive, aromatic orchestral music. But Poulenc does not shy away from big moments and set pieces. The new Prior's beautiful Act II monologue is one such.

The young singers involved in this production, repeated by a different cast at the Bloomsbury Theatre on Sunday night, had been working intensely on the opera for three weeks, breathing, eating and sleeping it. The acting was on the whole excellent — Janine Reiss was the director — partly because unencumbered by fussy scenery, Bridget Cairns's designs were necessarily frugal, though cleverly functional.

Diane Forlano, the project's vocal consultant, has done her job well too. Francine van der Heyden was particularly radiant as Sister Constance, and Amy Goldstein solid in voice as the firmly resolved Mme Lidoine, the new Prior's.

Tamsin Dalley sounded suit-

Beauty beyond belief

ably aged as Mme de Croissy, the first Prior's, dying a harrowingly agonised death. Eve-Maria Westbrook projected strongly as Mere Marie, while Nicole Kuster, as Blanche, showed a varied sound-palette, not always

completely secure or controlled, but aptly expressive of the character's uncertainties and fears.

Michael Hart-Davis as the Chaplain took the chief male role. He sang excellently, as did Nicholas Sears, an impassioned Chevalier de la Force, Blanche's brother. Jonathan Darrington, who holds what must be the hot position of deputy music director at the Paris Opéra, conducted with some fervour; the fine Britten-Pears Orchestra responded commensurately.

STEPHEN PETTITT

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LONDON

TODAY AT THE BARBICAN If you do not already have a ticket for the LSO concert, note that there are returns only and not many are expected back. Not to be missed, however, is the launch of a festival by artistic director Adrian Noble as "the first event of a kind in this country and probably the world." Everybody's Shakespeare truly does bring together an extraordinary array of talent for an international, multi-disciplinary celebration of the work and influence of the Bard. See feature, page 35. Activities for all ages, some free, some not. Meanwhile, it is also the last week of RSC performances for the Tempest. *Moby Dick: The Country Wife and The Hostage*. Box Office (071-338 8891) Festival on through Nov 20 (2).

THE PRINCE OF BASS Jean Brodie: Opening night for Patricia Hodge as the inspirational but dangerous schoolteacher in a revival of an old favourite. *Ami Strachan directs*. Strand, WC2 (071-930 8800). Tonight, 7pm. Then Mon-Sat, 7.45pm. Thurs and Sat, 2.30pm.

THE REVEALS Patricia Routledge continues her role as that nice danger of euphoria, Mrs Maltrop, in *Shander's The Reveals*, after a successful first run in *Chichester*. Richard Cottle directs, with Richard Johnson, James Simmonds, Emily Raymond and Adam Godley.

MANCHESTER There is much to choose from on the theatre front here this week, starting with *The Picture of*

TODAY'S EVENTS

A daily guide to arts and entertainment compiled by Kirs Anderson

ELSEWHERE

BRIGHTON Dance Umbrella's festival of contemporary dance continues this week with a most welcome return visit by Stephen Petronio's company from New York. He will, in turn, and highly provocative dances are set to music by David London, Yoko Ono and Stravinsky's *Gondwana*. *Ami Strachan directs*. University of Sussex (0273 888881). Tonight, 7.30pm. Then in on Nottingham (Playhouse) (0202 419419) on Thurs.

NORWICH A rescue for parents this week, just in time for those half-term parties. A Children's Festival opens this afternoon with *Pinocchio* from Teatro del Lago, an Italian company known for its amazing puppets. Tomorrow, *Hallowe'en Tales* with Hugh Lupton, one set for five to seven-year-olds, another more scary one for those over eight. More puppetry is on offer on Thursday in a tale of *Ulysses* from Spain's Bambalino Teatro.

MANCHESTER There is much to choose from on the theatre front here this week, starting with *The Picture of*

THEATRE GUIDE

Jeremy Kingston's assessment of theatre showing in London

■ House full, returns only
■ Some seats available
■ Seats at all prices

APOLLO, Shaftesbury Avenue, W1 (071-404 5270). Mon-Fri, 8pm. Sat, 2.30pm. Sun, 3pm and 8.30pm.

■ **900 ONTARIO**, David Beards' Gothic shock-horror satire of a rotten Southern family steeped in sin and incest. *Ami Strachan directs*. Strand, WC2 (071-930 8800). Thurs, 7.30pm. Sat, 2.30pm. Sun, 3pm and 8.30pm.

■ **ON APPROVAL**, Peter Hall gives us the London play as it was and is, a sophisticated, diverting but relatively tame comedy. *Ami Strachan directs*. Strand, WC2 (071-930 8800). Thurs, 7.30pm. Sat, 2.30pm. Sun, 3pm and 8.30pm.

■ **ONCE ON THIS ISLAND**, Splendidly executed production of the hit, *Ami Strachan directs*. Strand, WC2 (071-930 8800). Thurs, 7.30pm. Sat, 2.30pm. Sun, 3pm and 8.30pm.

■ **THE QUEEN AND I**, Susan Ponder's comic romp follows the deposed royals as they struggle to

CINEMA GUIDE

Geoff Brown's assessment of films showing in London (and featuring indicated with the symbol ● on release across the country)

CURRENT

■ **THE ADVENTURES OF PRISCILLA, QUEEN OF THE DESERT** (15). Two drag queens and a transgendered girl stuck in the Australian outback. *Ami Strachan directs*. Strand, WC2 (071-930 8800). Thurs, 7.30pm. Sat, 2.30pm. Sun, 3pm and 8.30pm.

■ **FORREST GUMP** (12). Endeavouring to outdo *Ami Strachan* through post-war America. *Ami Strachan directs*. Strand, WC2 (071-930 8800). Thurs, 7.30pm. Sat, 2.30pm. Sun, 3pm and 8.30pm.

■ **THE HUSKUCKER PROXY** (PG). *Ami Strachan* becomes company boss. *Ami Strachan directs*. Strand, WC2 (071-930 8800). Thurs, 7.30pm. Sat, 2.30pm. Sun, 3pm and 8.30pm.

■ **THE LAST SEDUCTION** (18). *Ami Strachan* becomes company boss. *Ami Strachan directs*. Strand, WC2 (071-930 8800). Thurs, 7.30pm. Sat, 2.30pm. Sun, 3pm and 8.30pm.

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Not afraid to face up to the facts

Simon Tait on why Northern Ireland's Tower Museum has been named the best of the year

If the Northern Ireland Tourist Board had had its way, Gillian Shepherd, the Education Secretary, would probably not have been presenting the National Heritage IBM Museum of the Year Award to Londonderry's Tower Museum yesterday. "The tourism people didn't want us to mention the troubles at all," says Brian Lacey, director of Londonderry's heritage and museum service. "We made it plain we had no intention of not addressing them. After all, they started here and you could say they ended here, too."

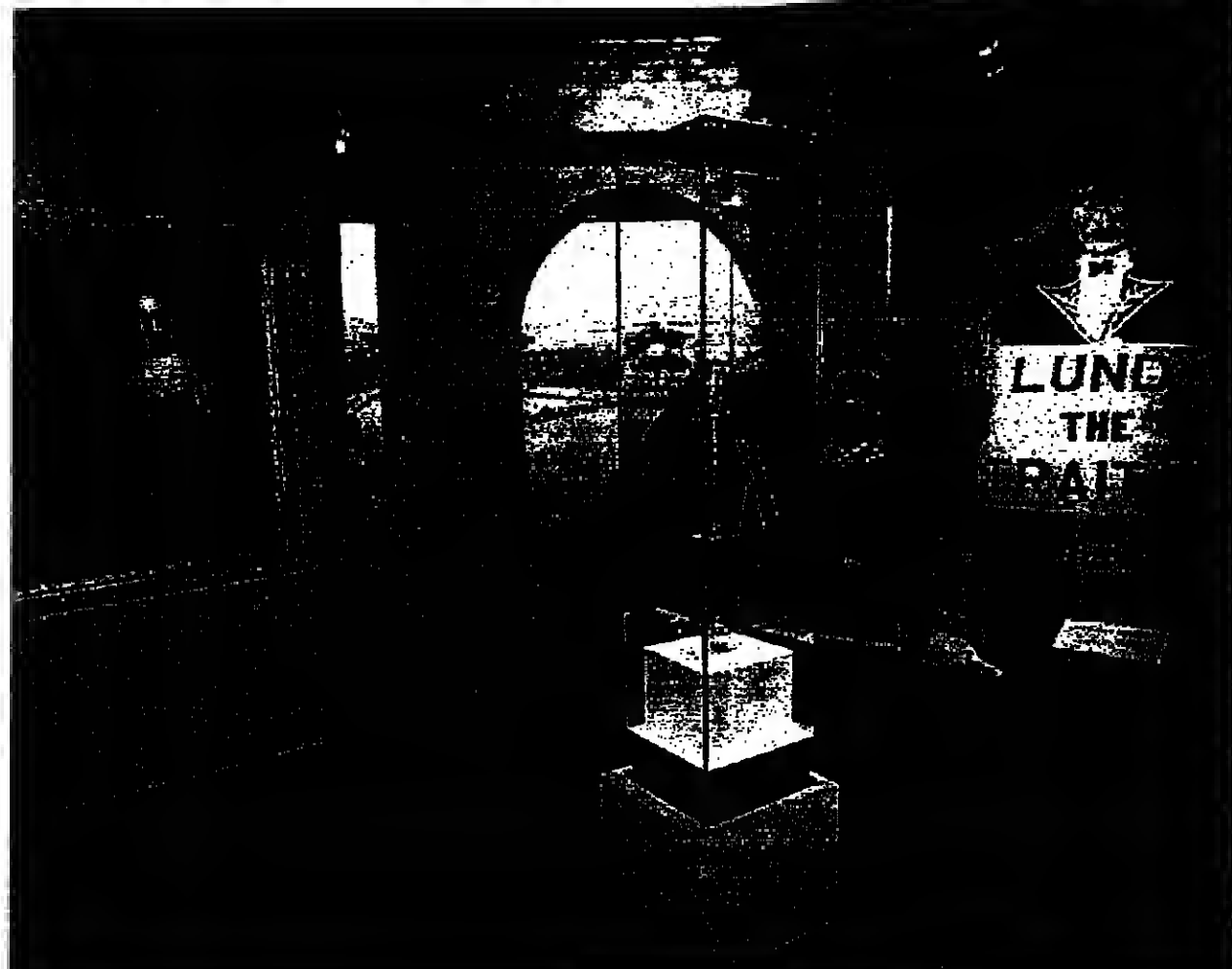
The Tower represents a new generation of museums. A statement at the start of the display says: "We have tried very hard to steer a balanced course between alternative interpretations and views and to respect different opinions and politics."

The way in which that delicate operation was negotiated was the judges' plaudits. Their chairman, Lord Morris of Castle Morris, said: "This interpretation of Derry's troubles must have been extraordinarily challenging, but it has come off brilliantly."

Lacey says he had thought of using traditional methods: "You know, letters from Bobby Sands (the Sinn Féin MP who died on hunger strike) and ornaments made out of rubber bullets. Instead we decided to leave all that out, and present it through the personal memories of a local broadcaster, Ken McCormack, in an 11-minute film."

But the challenge starts right at the beginning of the story, not a mere 25 years ago. Lacey says that about the only thing that isn't controversial about Londonderry's history is its geography. "It becomes problematic as soon as you realise that the two absolute facts on which the city is built actually didn't happen."

The place was not founded, as legend insists, by St Columba in 546, and the famous Siege of Derry of 1699 was, in



Inside Londonderry's award-winning Tower Museum: artefacts from Northern Ireland's troubled past are displayed

truth, a blockade. Through a mixture of objects, theatrical sets and 11 different audio-visual features the museum steps through all this.

Largely paid for by European Community funding, it opened two years ago and has attracted 100,000 visitors so far. It was the 1993 Irish Museum of the Year, and was highly commended in this year's European Museum of the Year competition. Londonderry's museum occupies a pastiche fort, built to recall the fortifications James I threw around the city when he created the "Plantations" of Protestants transplanted from London to counterbalance the Catholic inhabitants.

Until fairly recently Protestant residents would not give or lend objects to the museum collections because they distrusted the motives of the city council, the museum's sponsor. Many objects, ironically, have been lent by such places as the Royal Armouries and the Museum of London, where

On these occasions, Catholics are excluded from the old city. "We have had a ludicrous situation where thousands of British soldiers have had to protect this city," Lacey says, but the temple effigy on which each year's figure is

ings on the left side of a street, with kerbs painted red, white and blue, and a Republican side on the right, with kerbs of orange, green and white. "We had to be careful not to have a single millimetre more material on one side than on the other."

Even now, the official road signs still lead you to "Londonderry", the name imposed by James I in his Protestantisation, while nobody who lives there refers to anything but Derry. In 1984 the city wanted to change its name officially, but the council was told that to do so it would have to swear fealty to the Queen, not a likely event for this Republican-inclined body. The compromise was that the city could call itself Derry while the government would continue to call it Londonderry.

But with the ceasefire, is the museum already out of date? "Not yet," Lacey says. "A ceasefire is not peace, but we long for the day when we have to change something."

CONCERT: Schumann with text

Byronic grandeur

BBCSO/Davis
Festival Hall/Radio 3

— is in the nature of a gentle tint which enhances or intensifies an ennobled from Saturday's revelatory concert.

Philip Franks (as Manfred), with David Firth and Maria Friedman, narrated a text adapted and directed by Jeremy Sans. Only the Spirits — four soloists and the excellent BBC Symphony Chorus — had small singing parts. Just as Schumann's music — a fleeting miniature tone-poem here, a single trombone and tuba chord there

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of his unfathomable thoughts" the confrontation with Armines, Prince of Earth and Air, is prepared by a single luscious chorus, and the meeting with Manfred's phantom lover Astoria, finally, a dirge for *fantasies*. Finally, defying Man, God, Demons and a short choral Requiem, the rest is silence.

The skill with which this elusive and delicate hybrid of the Romantic imagination was recreated by the BBC Symphony Orchestra, actors and singers under Andrew Davis was matched by the eloquence of a rewarding complementary performance of Berlioz's Byronic symphony *Harold in Italy*, with Nobuko Imai as viola soloist and melancholy dreamer

HILARY FINCH

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THEATRE

ROYAL ALBERT HALL, 189 8212

THEATRE: The Everybody's Shakespeare season opens tonight. But the Everybody may not be to everyone's liking



Rina Yerushalmi's vision of *Romeo and Juliet* has actors from the Itim Theatre Ensemble of Israel doing the balcony scene in surtitled Hebrew, draped across a huge horse

Finding Will by various ways

Expose the world to the Bard, says Kate Bassett, and the world adapts him to its own ends, which can mean *Romeo and Juliet* on trapeze or horseback

Shakespeare one gets acquainted with without knowing how. It is part of an Englishman's constitution. His thoughts and beauties are so spread abroad that one touches them everywhere. That, at any rate, is one's opinion in Jane Austen's *Mansfield Park*. However, the views of Austen's "one" seem unacceptably snobbish to us today. "One" might be surprised to learn, for example, that thousands of today's school-leavers have not got acquainted with Shakespeare at all. In a survey of 16-year-olds, ten per cent thought "To be or not to be" was a question that bothered Nero; others thought it was Christ.

That "Englishman" is also suspiciously imperial, extending the influence of his Shakespeare "abroad". Yet anti-racist literary criticism rightly points out elements of negative stereotyping, both in *Othello* and *The Merchant of Venice*. So what shall we make of a festival seemingly sweepingly called *Everybody's Shakespeare*, under the patronage of the Prince of Wales, presided over by Adrian Noble, the artistic director of the Royal Shakespeare Company (see interview on the right) in league with the BBC, and based in the Barbican, the

architecturally stunning fortress where seasoned theatre critics can still be found on the wrong floor? Well, frankly, *Everybody's Shakespeare* is giving it a good shot. The advertisements promoting Will for everyone are all over the Tube. The plays are international productions from America, Japan, Germany, Israel and Georgia, including Peter Sellars's *Merchant of Venice* and Tadashi Suzuki with *The Tale of Lear*. There are also films, concerts, and jokey platform performances, Radio 3 discussions and, on television, documentaries, workshops, animated Shakespeare, and so on. There is plenty for the expert at the Barbican, from Marina Warner talking to a silent movie of *Hamlet*. For children, there's an interactive show, carefully called *How To Be Bottom*.

There are, of course, shortcomings. The pick'n'mix programming can look like a hotchpotch with holes. Noble recognises this. "Some have no access to Shakespeare. Some have no interest in it," he says. "But I contend that it belongs to everybody. We have tried to

make the festival highbrow and lowbrow." Talking to a new audience, Sellars's high-tech *Merchant*, staged with microphones and television monitors, is — in the wake of the Rodney King riots — set in modern Los Angeles, and explores racial tensions, capitalism and injustice. Venice becomes Venice Beach. Shylock is an Afro-American

everybody, across the board. Another meaning of the title is that Shakespeare can be everybody's individually. Karin Beier claims her *Romeo and Juliet* (surtitled), from the Düsseldorf Schauspielhaus, "takes a very personal view. I am trying to catch the 'life-feeling' of rich German kids in the 1980s and 1990s. There are two poles to this feeling. One is

of love — almost reaching each other, but not quite — and of danger. Beier believes the German approach to Shakespeare is, in general, different to the English. "We try to find out what we can say through Shakespeare. In England, respect for the author is higher."

Suzuki's 100-minute version of *King Lear* is also a personal vision. An old man in a sanatorium is told Shakespeare's tale by a nurse, who becomes the Fool as the other characters materialise around him. Suzuki uses an entirely male cast to emphasise the friction between the generations. That's relevant to modern Japan, where the disintegration of the family has, Noble says, "happened like a car crash". But its resonances are clearly wider. "I have cut out the good men," Suzuki says. "I start from the assumption that the world is ill, a hospital where you don't know if the doctors — the politicians — are capable. It is about a society where man has ceased to believe in other men. There is no binding morality. Perhaps America is the country where we see this most clearly."

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money lender at odds with a clique of racist gay and bisexual Latinos. Portia is Chinese-American from super-rich Bel Air. "If I had my way we'd be offering cheap tickets to people in Britain to come and see Sellars's *Merchant*," says Michael Kustow, the festival's artistic consultant. Actually, neither Noble nor Kustow are simplistically asserting this is Shakespeare for

Plays to catch the conscience

Artistic director Adrian Noble talks to Alan Franks about the indomitable heart of Shakespeare

A great irony of Shakespeare's appeal is that we run out of words in trying to define it. But we persist, and the explanations evolve as best they can. One view to which many now subscribe is that he comes to be even more valued than usual by societies in a condition of spiritual poverty. The theory is endorsed by the RSC's Adrian Noble, who believes this is happening in Britain today.

"There is no doubt that some ages get more out of him than others," he says. "It is true of all societies in which his work is known. They look to him to articulate certain eternal truths when there seems to be some crisis of faith, some vacuum."

It is not that parts of the canon replace existing religious texts, but rather that the plays are scanned for earnestness of hope, order, purpose, divine justice and much besides. This function, Noble agrees, could only be fulfilled by an artist of the utmost spiritual abundance. "Whatever he is saying, and however he is saying it, he is always dealing with dimensions that stand beyond the everyday passage of our lives. He occupies a 360-degree universe, and his characters journey through that universe in a free and exciting way."

Other constant presences are morality and humanity, each one frequently tempering the other in the working-out of the dramas. "For me, Shakespeare poses a moral problem and then he examines it from many points of view. He will walk the audience member around it, not in a distancing or academic way, but in a series of dilemmas about that problem."

"Take *Henry V*, and war. One moment you are excited by the prospect, and you find

yourself going all militaristic, aggressive, jingoistic. Then he shows you the other side of the coin, the natural revulsion against it all, but together with the political difficulties that might be faced if we duck the challenge and do not take up arms."

"He always insists on this marvellous ambivalence, so that, for example, we find Shylock's action utterly repellent — 'What do you mean, kill a man for debt?' Then the people judging him turn out to be repulsive as well, and you are continually being spun around, having to reconsider in a light that is forever new. That is the true Shakespeare."

"Like the greatest Greek drama, it educates you, makes you wiser. This happens not just on the intellectual plane, but on the emotional one as well. You feel for both parties, and that feeling, namely compassion, seems to be the very source of wisdom and mercy."

What of Shakespeare's greatest glory, the language itself? With the best will in the world, the best Will in the world must always be the English one. How can translators, even the free and poetic ones, hope to transport such sublime imagery without *breakage and loss*? Noble's answer is that Shakespeare's narratives are amazingly eloquent in their own right.

"I think the potency of the story is right at the heart of it [his universal pull]," Noble says. "It is for this reason that the Suzuki Company can focus on the disintegration of traditional family values in their own society by looking at the story of *King Lear* and finding a man being pulled apart by his children; and for this reason that an Israeli company can look at *Romeo and Juliet* and find two tribes not talking."

Adrian Noble, artistic director of the Royal Shakespeare Company, is seen in a black and white photograph, looking directly at the camera with a serious expression.

Noble: "Some ages get more out of Shakespeare than others"

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LONDON FRINGE: Lepage's masterpiece in progress; gay truths strike home

Brilliance with blemishes

WHEN it is finished, Robert Lepage's latest original — quietly, dazzlingly original — theatre piece will be a seven-hour seven-part affair. At present it's a three-hour trilogy. The creative process is, fascinatingly, going on under public gaze as his Quebec-based company, Ex Machina, tours internationally.

The *Seven Streams of the River Ota*, at the Riverside Studios, Hammersmith, is not yet perfect. There are technical wobbles with the set of Japanese screens and mirrors. Restuffing and cutting the narrative since the Edinburgh Festival have resulted in a shorter, simpler but less transcendently phrased form. Still, the piece is impressively all-embracing: a multilingual, multimedia work that refracts life into theatre, opera, video projection, and traditional

Asian puppetry. Scenes slip tellingly between divergent genres: a naturalistic, painful domestic showdown turning into an exaggerated bedroom farce. Panoramic yet intimately focused, the piece commemorates the incomprehensible Hiroshima and the Holocaust — glimpsed through an individual life that of Jana, a Czech photographer living in contemporary Japan. The view widens to adjacent lives and her earlier years: in a concentration camp as a child, and in a New York tenement of dodgy 1970s artists. The matically, it grows into a study of the relationship between atrocities and artistic representation, and of sexuality and the socially "unacceptable".

Jana (Gisela Vincent, not at her best) sleeps before a glass. We see her childhood self (an intense Marie Brassard) on the other side, in a tiny box, befriended by and falling in love with an older woman in the camp, an opera singer who performs *Madam Butterfly* and later commits suicide in reality (Rebecca Blakeship, whose acting has improved). Little Jana herself assists a magician in the entertainment the Nazis have commanded: made to "disappear" in a box into which her body hardly fits, but in which she finds the means of escape.

In Hiroshima, shy, sensitive Pierre (delicately portrayed by Eric Bernier), a young French-Canadian artist lodging with Jana while learning calligraphy, finds the limits of his sexuality are paper-thin as he moves between masculine and feminine, discovers an eroticism in being the object of voyeurism and, in sleeping

with a 60-year-old woman, damagingly betrays his girlfriend. Even as he intellectually scrutinises large issues — ethics and aesthetics, history and the creation of layered identity — Lepage is acutely sensitive to the grain of life.

There are more ghosts from the past and anxious male lodgers in *The Tenth Man* at the New End, Hampstead. A Frenchman returns incognito to the mansion he gave away to a poor boy who, in return, took the former's place before the Nazi firing squad, leaving his twin sister wealthy and vengeful. This is an adaptation of a Graham Greene thriller, but Anic Hay theatre company's oafish and dreary staging is about as hair-raising as staying home and doing a bit of housework.

KATE BASSETT

the viciously homophobic classmates; the passers-by who, spotting the three anti-heroes nervously emerging from a gay club, threaten to burn the place down "with all the laggos in it"; the Boy trio's terror of being unmasked at the workplace.

When Duggan arrives at his wary conclusion — self-acceptance and the chance of happiness for Boy — it carries more weight than that of *Beautiful Thing*. Suicide has been a serious possibility. Obstacles have been surmounted. Homosexuality has, so to speak, been earned.

BENEDICT NIGHTINGALE



Puppet mastery in *The Seven Streams of the River Ota*

Out of the closet and into a life

Boy
Lyric Studio, W6

Shaun Duggan's play comes in the wake of Jonathan Harvey's *Beautiful Thing*. Brad Fraser's *Poor Super Man*, and several other pieces dealing with the pains and perils of being young and homosexual. So the obvious question is what, if anything, it adds to a genre already suffering from overload? The answer is a refreshing unsentimentality and some gripping scenes, but also a certain lack of invention.

This may seem an odd accusation, for Boy, as Duggan baldly calls his protagonist, comes in an unconventional guise. He is played by three young men, Mickey Poppins, Tom

Higgins and Sean McKee. Who is who is hard to tell, since the biographies in the programme are accompanied by cute portraits of the actors in earlyish childhood; but their dramatic function is clear. One is the cautious self, frightened of being humiliated and longing to be straight. Another stands for the homosexual impulses that will not be repressed. And the third seems to be the human pot in which these conflicts are simmering.

This is an oldish trick, used more

effectively by Peter Nichols in *Pasadena Play*, which dramatised a disintegrating marriage by bringing onstage a sensual alter ego for the husband and a distraught one for his seemingly collected wife. Altogether, imaginative originality is not Duggan's strong point. Note the names of his characters: Boy, Moth-

er, Bully, Friend 2, Man 3. They signal plainly enough that the people are more generalisations than individuals, and that the play involves typical or representative experiences rather than the quirks of reality.

But if you buy that, the play has plenty to offer. Indeed, it is a better introduction to the subject of "coming out" than *Beautiful Thing*, which makes a difficult and often agonising process seem absurdly easy. Duggan evades little or nothing: the mother desperate for a nice suburban son;

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LAW

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● LAW REPORT 41

Gary Slapper on the implications of yesterday's Ouija board case ruling

Of the 6,000 appeals that will be made to the criminal division of the Court of Appeal this year, probably the most bizarre was that decided yesterday. The successful appeal of Stephen Young, who is to face a retrial, raises important questions about the way juries work, the contempt laws, the criminal justice system, and even some theological and philosophical points to vex the clergy and academics.

In 1993 Mr Young, 35, was unanimously convicted by a jury at Hove Crown Court, East Sussex, of two murders. In March he was jailed for life. It later came to light, however, that during the time the jury was out, four of the jurors who were wavering about the proper verdict used a Ouija board to consult with one of Mr Young's alleged victims.

In what was described as "a drunken experiment" they held a seance to ask the victims who killed them. It was claimed that they conjured up the spirit of Harry Fuller, who was killed with his wife Nicola. The spirit allegedly confirmed that the defendant was their killer.

Stephen Gilchrist, Mr Young's solicitor, appealed on the ground that there was a "material irregularity" in the deliberations of the jury. "On the facts that are available," he says, "the jury reached their decision not on the basis of the evidence but on conversations with the deceased."

The Lord Chief Justice, Lord Taylor of Gosforth, sitting with Mr Justice Waterhouse and Mr Justice Bell, said yesterday: "We have decided the appeal must be allowed in this case. We take the view there should be a retrial. They will give reasons for their decision at a later date."

The judges had read statements from all 12 members of the jury, and from two jurymen. Yesterday they made an order under the Contempt of Court Act banning publication of the contents of the statements until after the retrial.

This case raises questions about Section 8 of the Contempt of Court Act 1981, which effectively prevents jurors from talking about how they came to their decision. It makes it a criminal offence "to make it a criminal offence to obtain, disclose or solicit any particulars of statements made, opinions expressed, arguments advanced or votes cast by members of a jury in the course of their deliberations."

How the jury makes its decision is a private matter for the jurors. The reason behind the prohibition on jurors telling anyone what went on in



Whodunnit? A seance meeting in New York in 1887 in which a floating hand was said to have written a message

The dangers of spiritual guidance

the jury room, or which way jurors decided, is a bit like that behind the secret ballot: it precludes bribery and blackmail. It makes little sense for someone to offer inducements or threats to a juror to decide in a certain way if that juror's decision cannot be checked.

Also, as a government reminder observed in 1965: "If such disclosure were to be made, particularly to the press, jurors would no longer feel free to express their opinions frankly when the verdict was under discussion, for fear that what they said later might be made public."

Disclosure of jury secrets was formally made a specific offence, however, only in 1981, before the court examined each case on its merits to see if the disclosure in issue amounted to a contempt.

The rule has generated a number of problems. It has meant that there is no proper empirical research on how juries decide cases. To what extent is prejudice on the basis of, say, race, sex or class a significant feature of how juries decide and decide cases?

The problems have really been highlighted in complex

fraud trials lasting many weeks or months. It would be a challenge even for trained experts to sit diligently listening to the complicated twists of some financial scam, for hours every day, for a period of months; while all the time taking detailed notes and remembering names, dates and figures. Jurors are not selected for such skills and there is evidence that many have been deciding such cases on alarmingly capricious criteria.

Even before Section 8 of the 1981 Act, it was an established rule of law that on appeal, a court could not look at what went on in the jury room. In a case in 1922, Lord Justice Warrington said: "The court does not entertain or admit evidence by a juror of what took place in the jury room by way of explaining the grounds on which the jury arrived at their conclusion."

It was the *News of the World* which exposed the Ouija board story and it probably came to light because the jury had retired to a hotel - the Old Ship in Brighton (there was, it is said, talk of the

seance over breakfast). But suppose the jurors in the hotel had sought advice from their god through prayer? Would such a course of action invalidate their decision? They would, after all, be consulting something non-corporeal and something other than the evidence in the case. The divine and "superstitious" oracles both rely on the faith of the juror.

Will the Court of Appeal be able to argue, when its reasons are eventually given, that consulting a god for guidance is permissible but that consulting any other non-corporeal entity is not allowed? The court could avoid such a quandary by saying that absolutely nothing must guide jurors other than the evidence given in court. That option, however, would prevent religious people from receiving divine guidance when many must often be in great need of it.

This would be an awkward decision from judges with the courts' motto *Deu et mon droit* on a shield above them.

The jury, more than 800 years old in Britain, is generally seen as a desirable feature of

the British constitution. Lord Devlin referred to it as "the lamp that shows that freedom lives", observing that "the first object of any tyrant in Whitehall would be to make Parliament utterly subservient to his will; and the next to overthrow or diminish trial by jury" because no tyrant could afford to leave a citizen's freedom in the hands of ordinary people.

Geoff Mulgan, director of the think-tank Demos, argues that the jury is "Britain's most democratic institution" and the best model for public involvement in politics.

Last year, the Royal Commission on Criminal Justice recommended a loosening of the terms of the Contempt of Court Act to permit some research into how juries deliberate. The Government has not taken up this idea.

In the United States, jurors are allowed to disclose their own votes but not to refer to the views or voting of other jurors. There are those who believe, though, that if ever jury secrecy was abandoned here, trial by jury would eventually go the same way.

● The author is Senior Lecturer in Law at Staffordshire University.

Laying down the law in Europe

Today in Luxembourg the European Court of Justice will consider an issue which will receive less publicity than the recent Commission regulation prohibiting the sale of bananas of "abnormal curvature", but one which is of far greater importance. The court is being asked to decide when a Member State has a duty to pay compensation for loss caused by its failure properly to implement its obligations under European Union law.

In the past 30 years, a series of judgments by the court has established the force and effect of European law. In *Cosma v ENEL* in 1964 the court held that the Treaty of Rome, and legal rights and obligations derived from it, have supremacy over national law. If sufficiently clear and precise, such rights and obligations can have direct effect in the courts of Member States, although directives only have this effect against organs of the state, and not against private individuals, as the court confirmed last July in *Faccini Dori*.

In *Marleasing* in 1990, the European Court decided that national courts have an obligation to interpret national law, so far as possible, consistently with a directive (whether adopted before or after the national law).

Also in 1990, in *Factortame*, the court stated that a national court must have power to grant an injunction to set aside legislation which might impede, even temporarily, rights granted under European Community law. In *Emmott* in 1991, the court added that national time-limits for the bringing of litigation do not begin to run unless, and until, a Member State has properly implemented its legal obligations.

These judgments, among others, have established European law as a powerful legal system.

What has caused most concern to Member States is the judgment of the court in 1991 in *Francovich and Bonifazi v Italy*. A directive required Member States to protect the wages of employees whose employer became insolvent. When Italy failed to comply, the court held that Italy was "obliged to pay compensation for harm caused to individuals by breaches of Community law for which they can be held responsible".

This was because the directive was designed to confer rights on individuals, it defined those rights, and there was a causal link between Italy's breach of its obligations and the damage suffered.

Francovich concerned non-implementation of a directive. The judgment left unclear the extent to which a Member State might be liable for damages where it has attempted to implement its obligations, but has done so inadequately or erroneously.

In the two cases before the court today for oral argument, *Brasserie du Pecheur and Factortame* (No 3), the German Federal Constitutional Court and the Divisional Court in England, respectively, have asked the court for further guidance on damages. The German case concerns legislation protecting the quality of beer.

In *Factortame*, loss was suffered by Spanish fishermen who were adversely affected by the Merchant Shipping Act 1988. In each case, the financial damage was incurred as the result of the Member State's failure properly to implement obligations under European Community law.

The court is very likely to step back from imposing a potential liability in damages whenever a Member State makes a mistake as to the meaning of a directive, or of the Treaty of Rome, and so fails properly to implement its obligations. The court is sensitive to the financial and other implications which such a general principle would have for Member States. It is aware that the uncertainty inherent in European Union law makes it impossible for Member States always to comply with their obligations.

The court also knows that the principles for the award of damages for unlawful administrative action differ in the various Member States. In the United Kingdom, for example, there is no general right to damages for a person who has suffered foreseeable loss as a direct result of an illegal act of government, for example the misinterpretation of a statutory instrument or a perverse decision which has adversely affected a business. To recover damages, it is necessary to establish a tort, such as misfeasance (which involves the public body exceeding its powers maliciously or at least knowingly) or negligence.

In *Brasserie du Pecheur* and in *Factortame* (No 3) the court will probably state criteria similar to those suggested by Advocate-General Mischo in *Francovich*: in particular, that damages may only be claimed if the breach of European law is "manifest and grave" (a criterion applied where damages are claimed against an institution of the Community under Article 235 of the Treaty of Rome).

Such criteria would provide further encouragement to Member States to comply with their legal obligations, and would penalise Member States which were culpable, but would avoid the creation of a strict liability in damages for which there is little to be said in principle or as a matter of policy.

● The author is a practising barrister and a Fellow of All Souls College, Oxford.



COUNSEL

DAVID
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Goldsmith takes chair

THE BAR is about to have its youngest chairman. Peter Goldsmith, QC, 44, is the new head of the 6,000-member profession after being elected unopposed in the recent Bar elections. He takes over at the end of the year.

David Perry-Davey, QC, was elected vice chairman and Michael Blair, who works for the Securities and Investments Board, becomes treasurer, the first employed barrister to be elected an officer of the Bar Council.

Mr Goldsmith, one of the stars of the commercial Bar, went to Quarry Bank High School, Liverpool, and to Gonville and Caius College, Cambridge, taking a double first in law. He took silk when aged 37.

Thumbs up

THE CONSTRUCTION industry has given the thumbs up to the move by the Institute of Commercial Litigators to be granted the right to make their own cases in the courts rather than have to use solicitors or barristers.



Peter Goldsmith, QC

The institute, whose members are not lawyers but construction professionals with some legal qualifications, has already won the backing of the Office of Fair Trading and also that of some 2,000 companies and construction firms. The institute has applied for rights of audience from the Lord Chancellor's advisory committee on legal education and conduct.

Switched on

AS LAWYERS become computerised, legal publishers are starting to innovate. From next month each issue of the

monthly legal magazine *The Eagle* will come complete with a computer disk attached to the cover.

Says editor David Jacobs: "It will be similar to what you find on the front of a consumer magazine, but directly relevant to our reader's work as lawyers."

The first disk will provide a data base on charities along with a bank interest calculator. Unfortunately it will not have any games, but perhaps fittingly for a magazine for senior lawyers, it may carry a chess game soon, says Jacobs.

That's rich

HAVE you ever wondered how many of those multi-million dollar headline-grabbing damages awards in the United States ever get paid?

According to a *National Law Journal* survey less than half survive the appeals process intact. Over a quarter were set aside while the rest were substantially reduced. Says one lawyer who had a \$9 million verdict set aside: "It's sort of like funny money. You

have it one day and the judge takes it away the next."

That's showbiz

MEDIA law firms packed the first meeting of a new club for in-house lawyers and executives from the media hosted by Davenport Lyons last week. The club, unpromisingly called *Legato*, drew representatives of some 30 firms including television, film, music and cable companies.

Attenshull

A SOLICITOR, Ian Pearson from Farnham, Surrey, has made military and legal history by becoming the first non-barrister to be appointed a presiding judge in courts martial. Mr Pearson has represented hundreds of soldiers appearing before military courts while working for more than 20 years with Tanner and Taylor, solicitors in Aldershot, Hampshire, home of the British Army. His new post follows a change in the law which allows solicitors to apply for judicial appointments. The job will take him to courts in Britain, Cyprus, Hong Kong and the Falkland Islands.

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achievement in the company secretarial function, perhaps currently in the number two position in a blue chip financial services organisation, and have the enthusiasm and energy to match that of the existing young management team. Knowledge of the insurance regulatory environment is a prerequisite. You must also have the ability to develop good relationships with UK and European regulatory bodies. A legal background would be particularly appropriate.

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Surviving a Scandal

The business scandals of recent years touched the careers of many commercial lawyers and in some cases were liable to affect their reputations. Lawyers in private practice were the least affected. They could demonstrate that they had always acted professionally and had remained at some length. To the outside world they were not personally identified with one particular client, even if that client became infamous.

For in-house lawyers, on the other hand, a company scandal presents serious difficulties, especially if the wrongdoing is egregious and it is clear where the blame lies. In our experience, in-house lawyers are rarely involved directly in corporate misdemeanours. They are usually kept well away from them. But prospective employers need convincing of this, and will not always give a candidate the benefit of the doubt.

Lawyers must obviously resist any employer who asks them to head the rules. This, I accept, is easier said than done. The role of in-house lawyers as part of management, helping to achieve corporate goals, makes it especially difficult. However, there comes a point at which they will consider resignation as the only option left to them. Rule-bending beyond the limits of legality may be going on behind their backs. Even if they have behaved impeccably, it may be difficult, when the scandal breaks, to save their reputation.

Michael Chambers

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Solicitor with excellent research and writing skills - and a shrewd understanding of people and business - to join editorial team of City-based monthly legal magazine.

Property: North West
Opportunity for property lawyer with at least 5 yrs' experience to run divisional legal dept of well-known property co. Must be able to handle own heavy workload as well as managing other members of the dept.

Hi-tech: South East
Solicitor with 3-4 years' comm exp (which should include some intellectual property law) to join the expanding legal dept of well-known hi-tech co. Must enjoy overseas travel.

Project Finance: London
Solicitor with 4-5 yrs' financial exp joined in a major City practice to join the high-profile legal dept of a well-known international co. You will be dealing regularly with outside advisers in the UK and overseas.

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London: David Jermyn, David Woolson. South: Yasmin Hossain. Midlands: Lauren Cochrane. North: Alison Diamond.

Commercial Litigation: City
Small/medium sized firm seeks 1-3 yr qual for a mix of litigation (contract, banking, prob negligence) and arbitration.

Pensions: City
Med-sized firm offers excellent partnership prospects to senior pensions solicitor (4 yrs qual to partnership). Employee benefits exp useful.

Litigation Partner: Central London
Senior litigator with entrepreneurial flair sought to replace outgoing head of dept. Part-following/connections reqd.

Company/commercial Partner: City
Small City firm with £100,000 surplus cash seeks senior solicitor with part-following to develop existing co-own dept.

Shipping Litigation: City
0-2 yr qual specialist (in fact another) sought by what is undoubtedly one of the City's fastest growing niche firms.

Partnership Positions...
Over 20 years' experience has given us an unrivalled reputation for partner-level recruitment, and we are often chosen by those seeking a more discreet and personal service.

Company/Commercial: City
Small/medium sized firm seeks 3-4 yr qual for high quality work. Good partnership prospects.

Com Property: Bucks/Oxfordshire
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Head of Pensions: Midlands
Leading firm seeks partner to manage dept with outstanding reputation. Exceptional.

Banking Lawyer: The North
Major corporate firm with strong banking dept seeks solicitor 4-6 yrs qual. Excellent prospects.

Head of Commercial Lit: South West
Definite partnership prospects for senior litigator with construction exp and marketing flair.

SIB

POLICY EXECUTIVE Financial Regulation

The Securities and Investments Board (SIB) is the central body empowered by the Financial Services Act 1986 to oversee the UK regulatory system for investment business. A key senior position is currently vacant in the department responsible for the system's overall framework of financial regulation. The role of the department includes ensuring that capital standards for investment businesses are adequate, meet the UK's EC obligations and take account of wider international developments and competition.

The successful applicant will take responsibility for the development of policy relating to the financial regulation of branches of overseas firms seeking to engage in investment business in the UK. The job will involve assessment of overseas regulatory regimes, discussion and negotiation of agreements with overseas supervisors, extensive liaison with SIB's and preparation of papers for discussion inside and outside SIB. An initial task will be a comprehensive review of current policy (particularly in the light of EC directives).

Candidates are likely to be educated to degree.

standard. They may hold a professional qualification and are likely to have a City background including regulatory, legal, accountancy and/or documentation experience. Applicants should have a good grasp of both the FSA framework and banking regulation, together with a working knowledge of investment business gained from several years relevant work experience.

The ability to express ideas fluently, both orally and in writing is important as is attention to detail and the ability to analyse complex issues. Candidates should have negotiation skills, be practical, flexible and able to demonstrate personal authority, tact and diplomacy. Fluency in a second EC language would be helpful. Some overseas travel will be necessary.

Interested applicants should in the first instance contact Anna Williams or Sue Lintzen at Michael Page City, Page House, 39-41 Parker Street, London, WC2B 5LH, quoting reference 207930, for an information pack. Telephone 071 831 2000. Closing date Thursday 10th November 1994.



Michael Page City
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Legal Adviser

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Virgin now requires another lawyer to join its small legal department. The role will encompass all aspects of the airlines business and those of its associated holiday and freight operations including aircraft acquisition and financing, strategy and planning issues, drafting and negotiating and a wide range of commercial agreements.

Candidates should be one to two and a half years qualified with proven commercial legal skills gained either from a commercial law firm or industry.

Aviation experience is not essential but a strong academic background is imperative as is a quick intellect and a common sense approach.

Interested applicants should apply with CV to Deborah Sherry or Pippa Curtis at Douglas Llambras Associates, 410 Strand, London, WC2R 0NS quoting reference number T251094.



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FAMILY LAW - Essex - During last 10 years, I have been a partner in a family law firm in Essex. I am now looking for a new challenge. I am a qualified solicitor and have been a partner in a family law firm for 10 years. I am now looking for a new challenge. I am a qualified solicitor and have been a partner in a family law firm for 10 years.

TRANSPORT - London - I am a qualified solicitor and have been a partner in a transport law firm for 10 years. I am now looking for a new challenge. I am a qualified solicitor and have been a partner in a transport law firm for 10 years.

Helen Garlick on reforms that may change the Child Support Agency from pariah to paragon

I recognise that it's impossible to please all the people all the time, but this Act has gone a long way in displacing all the people a lot of the time," Dame Margaret Booth, the former High Court judge, recently said about the Child Support Act 1991.

But there are signs that a recent test case may prove to be the final successful push in legal campaigns to batter away at governmental resistance to reform of some of the Act's more unpopular features.

An Essex father, Roy Biggin, refused to pay the £80 child support, assessed for the two children of his first marriage. In challenging the CSA's attempts to enforce payment with a deduction from earnings order issued to his employers, Mr Biggin argued that the magistrates could review the CSA assessment on the ground that it was not in the best interests of the children. Mr Biggin had shouldered responsibility for the two children of his new relationship, whose natural father had died.

His attempt failed, but the case was important in that the Colchester magistrates set a precedent, albeit shaky, for the principle that decisions by the agency are open to challenge in the courts if the assessment is not in the best interests of the children.

The case is on the fast track for appeal to the High Court, with the worried CSA reportedly underwriting the costs of Mr Biggin's appeal. If upheld, it would boost lawyers' hopes of the CSA's welfare principle being the basis for challenge of unfair assessments.

The bottom line is that most family lawyers want to see the CSA put to death. However, given the high level of financial investment in the agency — its funds have been topped up by £70 million, to reach £184 million in its second post-



Former judge Dame Margaret Booth slams the Child Support Act; MP Frank Field may help to reform it

Time to tame a beast of an Act

implementation year — that dream is unlikely to be realised.

So, what next? Top of the lawyers' agenda is the need for discretionary review by the courts. "On the basis that the CSA can only put the formula into effect, or do nothing, there must be a safety valve that leads back into the court

system," says James Pirrie of the national committee of the Solicitors Family Law Association. "Otherwise, in cases like Mr Biggin's, there will be nowhere to go — the assessment is not right, but the Act prohibits child maintenance being ordered by the court."

The proposal for court reviews

has been given added impetus by the Biggin case, although any review must be right to ensure that the safety valve is available to meritorious cases, not exploded by thousands of individuals unhappy with simply having to pay more. The current UK formula produces similar results to the widely praised

Australian system. At one and a half times weekly earnings, the UK formula means that 20 per cent of the absent parent's gross income will go on child support, as compared with 23 per cent in Australia.

But many injustices remain, which could be remedied if the inflexibility of the formula were softened by review by the family courts, well used to adapting outcomes to the needs of a particular case. Sue Slippman, director of the National Council for One Parent Families, advocates the adoption of a review system similar to that in Australia. "Unusually high access costs, the shouldering of joint debts or the marriage on the family home would form the criteria for review by the courts, which would have wide discretion to recommend what orders should be made," she says. A more flexible approach for retrospective cases — where the rules of the game changed after couples thought they had already reached watertight agreements — is also envisaged.

The need for the agency to tackle its backlog of cases is beyond doubt, with the Solicitors Family Law Association making the pragmatic suggestion that the courts should be available where there are prolonged delays. Other urgent issues include the need for voluntary payments by the parent who leaves the home to be taken into account in the assessment. At present these are simply ignored, thus discouraging former partners from making any payments until the assessment is made.

The Social Security Select Committee, headed by the Labour MP Frank Field, has to come up with some answers. Its latest report is expected at the end of this month. Unless it manages to produce results that satisfy more of the people more of the time, the agency may never emerge from the mire.

To Russia, with a plan of action

Areas of legal and business confusion were tackled during the Queen's visit

London law firms played a leading part in last week's charm offensive aimed at Russia's new business elite as part of British Invisibles' mission to extract maximum value from the Queen's visit. Lawyers from Clifford Chance, Allen & Overy and Freshfields took centre stage on the Royal Yacht *Britannia*, welcoming Anatoly Sobchak, the mayor of St Petersburg, as well as top Russian bankers and businessmen.

The kind of debate and exchanges we developed during the day is still very unusual in Russia," says Jeremy Carver of Clifford Chance. "British and Russian members of the business community are still getting to know each other."

Although the long-term results are likely to be a strengthening of the legal and commercial network between the two countries, the meeting also addressed the concerns facing Western investors interested in Russian enterprises. "Potential investors find real problems when examining prospects," Mr Carver says. "In our discussions, the Russians failed to pick up the importance of environmental concerns and trademarks. But what did come through clearly, and was acknowledged by the Russians, was the issue of having a clear title to enterprises. In many cases it is not clear who owns businesses which are being sold."

With an estimated £330 million of Western capital being invested in Russia each month, there is a limit to how long this uncertainty can continue. British Invisibles, which represents Britain's top law and accountancy firms and financial institutions, has been trying to clarify things. One key initiative has been to produce a draft Anglo-Russian legal assistance treaty, now being considered by both governments, to provide a mechanism through which disputes can be resolved.

"Improving the Russian legal infrastructure would be a great step forward in helping business to develop," says Alison Wright, the director general of British Invisibles. Many leading

London law firms have now opened in Moscow — Norton Rose has just opened a new, expanded office — but most concede the prospects are still in the balance. "Work here could either take off like a rocket or crumble," one lawyer says.

Malcolm Groom, a Denton Hall partner, says his firm is in Russia "for the long haul", and expects no quick profits. "There are real difficulties here. In effect, we are having to invent legal solutions to problems because there are no precedents."

● AT a time of renewed military activity in the Gulf, Simmons & Simmons is opening an office in Abu Dhabi, with a team of four lawyers. After years of working for the private office of the royal family of Abu Dhabi, this is an important move for the firm in an area which is relatively low-profile, commercially, at present. "I can understand why Simmons & Simmons are making the move, because they have extremely good contacts with the government," says Andrew Clark of Allen & Overy, which operates out of Dubai. "Frankly, that's where most of the spending comes from these days — government contracts."

● JUST back from America is Freshfields' personnel director Alan Rance, after what is believed to be a first in legal recruiting. Given the rapidity of the firm's Asia practice, there is a need for more trainees who speak the languages of China, Vietnam and Thailand. Britain has limited stocks of suitable graduates, but they are not quite so unusual in the top American law schools. "There was a massive amount of interest in us," Mr Rance says. "The students were extremely bright, and we had the choice of some very talented young lawyers."

Freshfields will be making offers to four young Americans to go on work placements in Asia, and offering full traineeships to four more.

EDWARD FENNELL

2,000,001 — an odyssey

PEOPLE will be able to register smells, sounds and three-dimensional shapes when the new Trade Marks Act 1994 comes in on October 31. The registry at the Patent Office is expecting a deluge of applications — and, in particular, great competition to win the trademark application number 2,000,001, which will be the first in the new sequence. Interested companies should submit applications by hand to the Patent Office in Newport or in London between

9am and 10am on October 31. The owner of 2,000,001 will then be decided by a draw.

Top out, top-up

THE "topping out" of Cambridge university's new law faculty, designed by Sir Norman Foster, has just taken place. The building, to be opened next year, will bring one of the country's largest law faculties — 800 undergraduates and 200 staff on to one site. Some of the funds have come from the £5 million given to the university by a former law student, Peter

Beckwith, who went on to set up the London and Edinburgh Trust. But Professor Sir David Williams, the vice-chancellor, said: "Despite generous donations, there is still some way to go."

Swift work

A £3 million dispute over a contract between Hawker Siddeley Power Engineering and the Ceylon Electricity Board was resolved by the mediation service CEDR in just five days. One of the parties estimated that its costs savings alone were some £200,000.

Commercial break

SCOTLAND'S first commercial court is open for business. Lord Penrose, who had wide commercial experience when at the bar, has been appointed the first full-time commercial judge in the Court of Session. The move means a commercial judge is always on hand and will counter criticisms of delays and an inability of the court to meet commercial litigants' needs. Two other judges, Lords Cullen and Coulsfield, will also be on hand to help out with commercial work.

New job

EMPLOYMENT lawyer Denise Kingsmill has joined the City firm Denton Hall after working with Sir Patrick Sheehy as a member of his Rainbow consortium's national lottery bid.

Harper leads

ROSS Harper, the part-time professor of law at Strathclyde University, will be the next president of the International Bar Association. Paul Hoddinott becomes executive director on January 1, replacing Madeleine May.

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Speechly Bircham is a successful and expanding City practice which advises a wide range of corporate clients, including some very significant UK and overseas companies. Sustained growth has led to the need to recruit additional assistant solicitors in the following areas.

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3-4 YEARS' PQE

Our Company/Commercial department's work is principally in the mergers and acquisitions field and in related equity and debt financing work. We act for a wide range of international and domestic clients, both public and privately-owned. Much of the work is complex and involves working in teams with specialists from other areas in the firm.

Our plans for expansion now lead us to seek to recruit an assistant solicitor with 3-4 years' experience gained, preferably, in a medium-sized London practice whose work to date has included mergers and acquisitions, flotations, joint ventures and general commercial work. Some experience of banking and/or finance would also be advantageous.

Essential qualities include energy, enthusiasm for practice development and an ability to act effectively as part of a multi-disciplinary team.

Both these positions form an important part of our future strategy and provide scope for career development. If you are looking for challenging, high quality work, we can offer a competitive remuneration package in an environment with the close working relationships of a medium-sized firm.

For further information, or to apply for either of the above positions, please contact Fiona McLaren, Personnel Director, Speechly Bircham, Bouverie House, 154 Fleet Street, London EC4A 2HX. All communications will be treated in the strictest confidence.

PENSIONS/EMPLOYEE BENEFITS

SENIOR ASSISTANT

This is a new position within our Employment group which enjoys a strong reputation and an excellent client base. We are seeking a solicitor with at least 4 years' experience who can work independently on the full range of pensions and benefits matters and also as part of a team, advising on the pensions aspects of corporate transactions. The level and nature of this position will indicate the excellent career opportunities for the right client-driven personality.

Whilst we are advertising this position as a full time post for someone with both pensions and employee benefits experience, our structure may be sufficiently flexible to allow us to consider applicants who have a background in either area and wish to work on a part-time basis.

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Further details obtainable from Mrs G. Smith, telephone 0384 211411. Applications, together with the names and addresses of two referees to arrive by 11th November.

Interviews 24th November.

A. M. Eccles,
Clerk to Dudley Magistrates' Courts
Committee,
The Court House,
The Inhedge,
Dudley,
West Midlands, DY1 1RY

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based at Great Yarmouth

Applications are invited from solicitors, barristers or both persons qualified in accordance with the Justice Clerk (Qualification of Candidates) Rules 1979 for the post of Court Clerk. The salary for this post will be on the scale £19,089 to £23,808. Starting salary will be determined by the applicant's previous experience and proven competence.

Applicants are also invited from solicitors and barristers only for the post of Trainee Court Clerk. The salary for this post will be on the scale £16,761 to £19,089. However, the successful applicant will be expected to undergo accelerated training with the object of ensuring that s/he will be appointed as a Court Clerk on the court clerk salary scale within 12 months of appointment.

Applications forms may be obtained by contacting Samantha Caldwell on 01603 210223

Completed application forms must be received by no later than the 1st November 1994

Martin Sals
Chief Justice Clerk
2/3 Court Hill House, 19 Bury Road, Norwich, NR1 1SZ

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The candidate will be required to tackle a wide range of F. D. & D. and other insurance-related disputes encountered by the Club's Shipowner Members.

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Lancashire has the busiest County Magistrates' Courts Service in the Country and the Magistrates' Courts Committee has embarked upon strategies of quality improvement right throughout the organisation.

If you are a Solicitor or Barrister who is interested in a career in public service in the Magistrates' Courts send your CV to me by the 31st October, 1994 and mark the envelope "Trainee Legal Adviser".

Idris Moorby
Chief Executive

Management & Training Centre,
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LONDON LISTINGS

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To £49,000
Non-contentious IT lawyer with between 2 and 5 years' exp to assist in development of IT practice within highly respected and broadly based financial services department. This firm has a superb reputation and will only consider those candidates with impeccable academic and practical track records. Ref: T16886

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For further information in complete confidence, please contact Deborah Delgatesh or Greg Abrahams (both qualified lawyers) on 071-405 6862 (071-520 6559 evenings/weekends) or write to them at Quarry Dougal Recruitment, 37-41 Bedford Row, London WC1R 4EJ. Confidential fax: 071-431 6394.



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- a particular interest in further developing your knowledge of the contentious aspects of the financial services/regulatory sector.

A robust, energetic personality is essential, together with good commercial awareness and an ability to integrate into a highly motivated and well managed team.

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For further information please write, enclosing a curriculum vitae, to Fiona Cass, Recruitment Officer, at Clyde & Co, 51 Eastcheap, London EC3M 1JP.

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Manchester

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London

Ref: 19791

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London

Ref: 19766

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Birmingham

Ref: 19316

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To £35,000
Yorkshire
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Manchester

Ref: 18034

CORPORATE TAX

To £40,000
London
One of the World's most successful international banking organisations seeks a junior lawyer to join its Corporate Tax Department. Newly qualified to 1 years' exp, the successful applicant will be involved in high profile and innovative taxation work. Previous taxation experience is desirable, but not essential for the right individual.

London

Ref: 20176

EQUITIES/CAPITAL MARKETS

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Tariff should be reconsidered

Regina v Secretary of State for the Home Department, Ex parte Chapman
Before Lord Justice Mcowan and Mr Justice Gage
[Judgment October 18]

A discretionary life prisoner whose tariff under paragraph 9 of Schedule 12 to the Criminal Justice Act 1991 had been fixed at 20 years was entitled to have the matter reconsidered on the ground that no equivalent fixed-term sentence had ever been imposed for similar offences.

An opportunity should be given to a discretionary life prisoner to make informed written representations to the Home Secretary about any post-sentencing material which the Lord Chief Justice was to be provided with when he advised on the length of the prisoner's tariff.

The Queen's Bench Divisional Court so held allowing an application by Reginald George Chapman, a discretionary life prisoner convicted in 1977 of six offences of rape and two offences of burglary, for, *inter alia*, a writ of certiorari quashing the Home Secretary's decision of July 30, 1992 that for the purposes of paragraph 9 of Schedule 12 to the 1991 Act the punitive element of his sentence which had been fixed for release on licence under section 34 should be 20 years.

In June 1992 the Home Secretary had consulted Lord Taylor of Gossford, Lord Chief Justice, who had acted as prosecution counsel at the applicant's trial, as to the appropriate tariff period in relation to the applicant. Lord Taylor had recommended a period of 20 years.

Mr Edward Fitzgerald for the applicant, Mr David Pannick, QC, for the Home Secretary.

LORD JUSTICE MCOWAN said that the applicant had submitted that the process of certification conducted by the Home Secretary under paragraph 9 of Schedule 12 to the 1991 Act had been unfair because he had not been allowed to make informed representations on the length of the penal term to be served.

Further, the term specified in the certificate, being the equivalent of 30 years, was manifestly disproportionate given that no fixed term sentences in excess of 20 years had ever been upheld for sexual offenders, even where they had been convicted of a series of offences.

Mr Pannick did not accept that the tariff was completely out of line with other cases.

In answer to the argument that no fixed term of 30 years imprisonment had ever been fixed for similar offences he had pointed out that the gravity of the facts of a case the more likely it was that a

sentencer would have thought in terms of a life sentence.

His Lordship, however, was in no doubt that no reasonable Home Secretary, properly addressing his mind to the matter and properly advised, would have come to the conclusion that it was not necessary to ask the Lord Chief Justice to reconsider the applicant's tariff.

In the light of the fact that it was impossible to find a case where an equivalent fixed-term sentence had been imposed the situation called for a reconsideration.

Had the applicant been the victim of an unfair procedure because he had not had the opportunity to make representations to Lord Taylor? The Lord Chief Justice was not the decision maker, clearly that was the Home Secretary. But since the Lord Chief Justice's view was almost certain to be accepted it was important that he should have all the relevant material.

His Lordship could see an argument that no post-sentencing material should go before the Lord Chief Justice at all, but what did not seem right was that he should have part of the material and not all of it.

It was only fair that the applicant should know what the material was that the Home Secretary intended to put before the Lord Chief Justice and that he should be afforded an opportunity

to make written representations to the Home Secretary in the light of that material which would be passed on to the Lord Chief Justice.

Should Lord Taylor be asked to reconsider the applicant's tariff given that he had been prosecuting counsel at the original trial? Mr Fitzgerald had made it absolutely clear that he did not suggest any actual bias on the part of Lord Taylor, rather that there would appear to be a real possibility of bias.

Mr Fitzgerald had made a fair point, in his Lordship's judgment, when he had said that it would be unthinkable that a judge who had been prosecuting counsel in a case would not have disqualified himself from sitting as a judge of the Court of Appeal on an appeal against sentence in the same case.

His Lordship had not found it an easy matter at all but he had taken into account that the applicant was likely to suffer from a sense of grievance if Lord Taylor reconsidered the matter.

His Lordship had concluded that, in the circumstances, the Home Secretary should invite another senior judge who habitually presided over the Court of Appeal, Criminal Division, to reconsider the applicant's tariff.

Mr Justice Gage gave a concurring judgment.

Solicitors: Alter Mackenzie & Co, Evesham; Treasury Solicitor.

Right to appeal Parole Board limit

Regina v Dalton

Before Lord Taylor of Gossford, Lord Chief Justice, Mr Justice Potts and Mr Justice Sachs
[Judgment October 20]

An appellant, who did not challenge a life sentence imposed for rape, had the right to appeal to the Court of Appeal against the judge's order specifying the period of the sentence which he had to serve, the relevant part, before his case could be brought before the Parole Board.

The appeal was brought by Frank George Dalton, aged 26, who at Tinsley Crown Court on a plea of guilty to rape was sentenced by Judge Strydom to life imprisonment and the relevant part of the sentence was stated to be 12 years, representing two-thirds of 18 years in accordance with section 34(1) and 33(2) of the Criminal Justice Act 1991.

Section 33 of the 1991 Act provides: "(2) As soon as a long-term prisoner has served two-thirds of his sentence, it shall be the duty of the secretary of state to release him on licence."

"(5) ... 'long-term prisoner' means a person serving a sentence of imprisonment for ... four years or more."

Section 34 provides: "A life prisoner is a discretionary life prisoner ... if (a) his sentence was imposed for a violent or sexual offence the sentence for which is not fixed by law; and (b) the court by which he was sentenced for that offence ordered that this section should apply to him as soon as he had served a part of his sentence specified in the order (the relevant part)."

Mr James Chadwin, QC and Mr Kenneth Gillane, assigned by the Registrar of Criminal Appeals, for the appellant, Mr Guy Whitburn, QC, for the Crown.

THE LORD CHIEF JUSTICE, giving the judgment of the court, said that the appeal had been brought by leave of the single judge and, because it raised a point not previously decided by the court, their Lordships had asked for leading counsel for the appellant and the Crown to appear.

The point at issue was whether an appellant who did not challenge the imposition of a life sentence had any right of appeal to the Court of Appeal against the judge's order under section 34 of the 1991 Act, which empowered him to specify "the relevant part" of the sentence, that had to elapse before the appellant's case could be brought to the parole board.

In *R v Withers* (unreported) May 25, 1994, CA and *R v Walter* (unreported) June 30, 1994, CA, there was challenge to the sentence itself and the court dealt with what had been a wrong approach to section 34 by the trial judge. In *R v O'Connor* (unreported) October

26, 1993, CA, there had been no challenge to the life sentence but there was challenge to the judge's approach to his task under section 34 as a matter of law.

In the present case there was no challenge either to the life sentence or to the propriety of the judge's approach to section 34. What was challenged was the actual period of time he had fixed as the relevant part, simply on the merits of the case.

The question was whether that could be the subject of appeal. Their Lordships had been greatly assisted by skeleton arguments presented by both counsel.

The crucial question was whether the relevant part fixed by the judge under section 34 amounted to an "order" within section 9 of the Criminal Appeal Act 1968, which gave a right to appeal against any sentence not being a sentence fixed by law, and section 30(1), later substituted by paragraph 1 in Schedule 5 to the Criminal Justice Act 1991, which defined "sentence" as including any order made by a court when dealing with an offender. Their

Lordships, in view of section 34(1)(b) and (3), had no doubt that it did amount to an order.

In the order, as drawn up, the word "recommendation" appeared, which was an inappropriate word to use.

The regime was as follows: It was for the judge, who imposed a life sentence for a violent or sexual offence where the sentence was not fixed by law, to implement section 34 in most cases, because *Practice Direction (Crime: Life Sentences)* (1993) 1 WLR 223 made it clear that that would not be so if the judge formed the view that the gravity of the offending was such that life should really mean life.

However, otherwise, although section 34 was not itself in mandatory terms, judges should implement section 34 in imposing a discretionary life sentence. Once the judge had gone through the exercise of deciding what the relevant part should be, it was fixed unless the Court of Appeal saw fit to vary it.

As stated in *O'Connor*, the trial judge had to consider what would be the appropriate determinate

sentence to pass if he were not to pass a life sentence, by reason of risk to the public in the future. So he had to consider what would be the appropriate sentence for punishment and deterrence.

Having decided that, he had not to leave it at that but had to consider section 33(2) and 35(1), which made it clear that a long-term prisoner would have to serve half of his sentence, as provided by section 35(1) and might have to serve up to two-thirds, in accordance with section 33(2).

The judge had then to decide whereabouts in the area between two-thirds and half of the determinate sentence he would have imposed, had he not been going to impose a life sentence, he ought to fix the relevant part.

Their Lordships considered all the circumstances of the case under appeal, upheld the life sentence and concluded that the judge had assessed the relevant part at too high a level, and the sentence was varied by reducing the relevant part to 10 years.

Solicitors: Crown Prosecution Service, Middleborough.

Sentencing is not a separate proceeding for extradition

In re Forwell

Before Lord Justice Butler-Sloss and Mr Justice Wright
[Judgment July 29]

The process of sentencing could not be classified as a separate extradition proceeding for the purposes of article 12 of the Extradition Treaty between the United Kingdom and the United States of America, as contained in Schedule 1 to the United States of America (Extradition) Order (SI 1976 No 2144), so that a risk of an increase in sentence referable to earlier conduct, for which prosecution was time-barred, could not prevent extradition.

The Queen's Bench Divisional Court so held when dismissing an application by Michael Cleave Forwell for *habeas corpus* against the Governor of Belmarsh Prison and the Government of the USA.

The applicant who was resident in the United Kingdom, was committed by the Bow Street Metropolitan Magistrate to the House of Detention in 1993 on charges relating to the importation of drugs into the US and detained in prison pending a decision by the Home Secretary as to his extradition.

A second point taken by the applicant, to the effect that, in breach of article 12 as "detained" included the period after trial and conviction and included any increase in sentence due to earlier conduct. Further, proceedings

"(1) A person extradited shall not be detained or proceeded against in the territory of the requesting party for any offence other than an extraditable offence established by the facts in respect of which his extradition had been granted or on account of any other matters."

Mr Lionel Swift, QC and Mr Donald Cryan for the applicant; Mr James Lewis for the United States.

LORD JUSTICE BUTLER-SLOSS said that the US government had evidence to show that a number of drug offences had been committed by the applicant between 1982 and 1988; those allegations were now time-barred.

Underlying the applicant's submissions as to the proper construction of article 12 was that the applicant ought not to be extradited to the US since he would be dealt with there for offences in respect of which had extradition had not been ordered.

That was because in sentencing the applicant the time-barred offences could under US statutory law be taken into account even though the conduct could not be the basis of separate legal proceedings.

To make account of such conduct, the applicant argued, was in breach of article 12 as "detained" included the period after trial and conviction and included any increase in sentence due to earlier conduct. Further, proceedings

post-conviction for the purpose of sentencing were proceedings against the applicant for other offences.

In their Lordships' view "detained" could not be stretched to encompass the sentencing process. Other offences or other matters related to separate and distinct proceedings and not to the post-conviction sentencing process.

In any event it was not for the English court to investigate the sentencing process: see *R v Governor of Pentonville Prison, Ex parte Simcoke* (1991) 2 AC 64; *R v Chief Metropolitan Magistrate, Ex parte Government of Denmark* (1984) 79 Cr App R 11.

Just as it was not for the English court to consider if it was unjust or oppressive or an abuse of the process for the applicant to be returned, it was not for the court to enquire into the way in which the foreign state would sentence after conviction.

The effect of the applicant's argument would be to render ineffective any future applications by the US Government for extradition of those who had previously been convicted of offences and would allow notorious criminals to go scot free. It was obvious that such was not the object and intent of the treaty.

Mr Justice Wright agreed.
Solicitors: T. Cryan & Co, Harrow; Crown Prosecution Service, Headquarters.

Entitlement to exemplary damages

Treadaway v Chief Constable of West Midlands

Before Mr Justice McKinnon
[Judgment July 29]

A man who had been seriously assaulted by police officers in order to obtain a confession to involvement in a robbery, for which he was later convicted by a jury, was entitled to substantial exemplary damages which would not be reduced on account of his being a man with serious criminal convictions.

Mr Justice McKinnon so held in the Queen's Bench Division sitting at Birmingham in finding that the plaintiff, Derek John Treadaway, had been assaulted by officers of the West Midlands Serious Crime Squad and (ii) awarding him £2,500 compensatory, £7,500 aggravated and £40,000 exemplary damages.

Mr Patrick O'Connor, QC, and Mr Tim Owen for the plaintiff; Mr Jeremy Gompertz, QC and Mr Gerald Morris for the chief constable.

MR JUSTICE MCKINNON said that the plaintiff was arrested in March 1982 on suspicion of armed robbery and was interviewed on a number of occasions.

He alleged that after being assaulted he signed a fabricated statement under caution which amounted to a confession.

In March 1983 he was convicted by a majority of 10 to two and sentenced to 15 years imprisonment which he had now served. At the trial the prosecution relied on the allegedly fabricated confession and upon the evidence of two accomplices.

There was no voir dire so that there was no determination of the issue as to whether the confession was fabricated and had been improperly obtained.

The plaintiff alleged that he signed the confession only after he had been handcuffed behind his back and a succession of plastic bags had been placed over his head while the evidence was being taken. He alleged that he was struggling and passed out at one point. After the fourth plastic bag was held over his head he signed the confession.

The court had to look at the background of the plaintiff who had numerous convictions for dishonesty and had to balance that against his resulting vulnerability. In his criminal trial in 1983 his own evidence was that he had in the past been engaged in fraudulent

transactions and that it did not matter to him if he lied if he got what he wanted.

There was the curious position in which Mr O'Connor had invited the court to treat the plaintiff as guilty of the armed robberies of which he was convicted by the jury in 1983 although the plaintiff, when asked about them in evidence, had denied that he was guilty of any armed robbery.

It was undoubtedly a difficult case which was important to all parties concerned.

His Lordship had no doubt that the plaintiff was cynically denied access to a solicitor when he wanted one. He asked for a solicitor and was told that he was not going to get one.

The medical evidence involved a combination of injuries to the plaintiff which was quite remarkable.

The minor injuries to the wrists, the petechial haemorrhages to the shoulder and sternum and the minor abrasions inside the mouth were not explained by the police account but were entirely consistent with the plaintiff's account and taken together provided rather more than slight reinforcement of it.

His Lordship was satisfied to a

high degree of probability in accordance with *Hornal v Neuberger Products Ltd* (1957) 1 QB 247 that the plaintiff was assaulted by the five officers.

His Lordship believed the plaintiff, fully appreciating that credibility was the sole issue in the case. Regrettably, he did not believe the evidence of four long-serving police officers who, he found, played various parts in the serious assaults upon the plaintiff.

Exemplary damages could only be in a substantial sum in such a case.

The court should not reduce the exemplary damages because of the sort of man the plaintiff was with serious convictions.

That was because the plaintiff, with all his faults, had been placed in a position where he was entitled to expect that he would be given the protection of the law.

That he was certainly not given. What happened to him amounted to nothing less than torture. That was unacceptable everywhere.

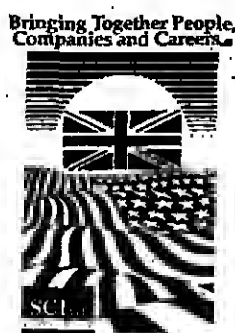
The police officers concerned had shown contempt for the plaintiff and thus for the rule of law.

Solicitors: B. M. Bimberg & Co; Mr J. Polychronakis, Birmingham.

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**Continued
from
page 32**

Pipe feels the colder climate

By JULIAN MISCAT

THE twisting lanes approaching Nicholassteyne, a sleepy village on the borders of Devon and Somerset, offer no hint of a passing recession. The grass is lush, the hills alive and the entrance to the Pond House stables of Martin Pipe suggest a tranquillity untempered by economic cycles.

It is an illusion. In taking the wraps off his National Hunt stars yesterday, Pipe conceded there was indeed room at the inn. His stable strength, traditionally the bedrock of his success, has

thinned out from the 140 inhabitants of 12 months ago.

"We haven't counted the numbers but we have about 100 in the yard at the moment," Pipe said, before making haste to the horses-in-training sales at Newmarket.

Consequently, it is as well that Pipe has all but completed the process of upgrading the quality of his string. Gone are the succession of prolific winning recruits from the Flat. Gracing the yard these days is a herd of aspiring steeplechasers, all raw in bone but bold in outlook. The "look of eagles" gazed out from above every stable door.

None caught the attention more than Midnight Hour, a strapping New Zealand-bred gelding about whom Pipe is candidly optimistic. "He is a fine young prospect; a really exciting horse. We are expecting big things from him," the trainer said of this five-year-old in the livery of Stan



Pipe parades his Grand National winner, Minnehoma, at the open day

Clark, the chairman of Uttoxeter racecourse.

Gravely Again is back with Pipe after a brief spell with Len Lingo in Scotland and the 1993 champion hurdler has the Bula Hurdle on his agenda.

The challenge now facing Pipe is as steep as the stretch of schooling ground over which his horses exercise. It is on Aintree and Cheltenham, rather than Newton Abbot and Exeter, that his sights are now trained. But old habits die

hard — the emphasis remains on converting each winning opportunity. He played down his eclipse by David Nicholson for the accolade of champion trainer, a contest decided by weight of prize-money. He was, he pro-

claimed, more than satisfied with his haul of 127 winners, itself 45 more than Nicholson but a far cry from the 200-plus totals he regularly posted at the start of the decade.

"I don't know about money, but my target this season is to train the most winners," he said. "It's no good just winning one big race. It would be nice to win all the big races because that is where the prize-money is, but the art is to get more numbers of winners."

Minnehoma, the apple of his eye, has proved the exception to that rule. Last term, Pipe's season ran into any number of cul-de-sacs before Minnehoma took the biggest pot of all — the Martell Grand National at Aintree. To judge by Pipe's enthusiasm yesterday, that momentous victory has served to raise his sense of anticipation for the unfolding season.

"It was marvellous for a horse to come back from such a bad injury and jump those severe fences the way he did," Pipe said of the 11-year-old, who is expected to return to the fray in the Welsh National over the Christmas period. "You don't realise what it's like until you've won it. The atmosphere is tremendous. The race has a terrific following, not just in England but worldwide."

So much so that Martell, the race sponsors, are deep in negotiations to transmit live coverage of the event to China, in addition to venues in Singapore, Vietnam, Spain and the United States.

The Grand National meeting goes from strength to strength. Martell's annual contribution towards prize-money next April will exceed £450,000, taking total purses at the three-day event to a record £650,000. To be sure, they are sums already deeply ingrained in Pipe's meticulous mind.

Country Member poised to return to the fray at Ascot

ANDY Turnell is poised to bring smart chaser Country Member back from an 18-month lay-off in the three-mile Bagshot Handicap Chase at Ascot on Saturday. On the same card, Storm Alert will be attempting to give the trainer his third consecutive success in the United House Construction Handicap Chase.

Country Member has only once finished worse than second in ten completed outings over fences, earning nearly £50,000 in prize-money. The eight-year-old was landing his fourth win of the season when he beat the subsequent Gold Cup runner-up, Rushing Wind, in the Agia Diamond Chase at Sandown in February 1993.

But he has not been seen out since finishing second to Givus A Buck in the Ritz Club Chase at the Cheltenham

ham festival the following month. Turnell said yesterday: "He broke down in the Ritz and we have had him fired. He seems all right but we will not know until he runs how good he is now."

The East Hendred trainer added: "We'll have to see how he works on Wednesday before deciding whether to run. He wouldn't run unless the ground was good, but they do not seem to have had the rain at Ascot that there has been elsewhere."

Nigel Twiston-Davies confirmed that his Grand National hope, Indian Tonic, is a likely opponent, provided the ground is not too dry. This race could also see much-improved Dubacilla making her debut for David Nicholson.

Turnell's Storm Alert will bid to repeat last year's success in the two-mile Uni-

ted House Chase, a contest won by his former stable companion, Katabatic, in 1992.

"I'm not worried about the ground for Storm Alert and he is a definite runner," Turnell said. "He had some problems and I was never happy with him last season. His first run turned out to be one of his best. Time will tell, but I am pleased with him now and I would like to think that he is very well in himself."

Big-race entries

Bagshot Handicap Chase (3m) Arno Chome, Buck Willow, Calceolar, Channel Postino, Country Member, Docklands Express, Dubacilla, Flash-thacash, Gold Cap, Indian Tonic, Nassau Bay, Patsy Minstrel, Scholastic, Spirey, Tannery's Friend, Topham Bay.

United House Construction Handicap Chase (2m) Around The Horn, Congregation, Drumstick, Lackland, Moulton Bull, Oh So Grumpy, One More Dream, Straton Lane, Spree Cross, Storm Alert, Wingspan, Young Snail.

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Our Newmarket Correspondent: 1.20 Misty Silks, 2.50 Chilly Lad (nap), 3.50 Paterni.

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103 (14) 0014 COOL LUCK 25 (0.5) S Bailey 5-4-18 J Payne 80
104 (15) 0014 COOL LUCK 25 (0.5) S Bailey 5-4-18 J Payne 80
105 (16) 0014 COOL LUCK 25 (0.5) S Bailey 5-4-18 J Payne 80
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**FROM JOHN HOPKINS
GOLF CORRESPONDENT
IN WHITE SULPHUR SPRINGS**

team," she said. "It has become almost a ritual [that she should play top]. When you move her around it changes the team atmosphere."

Carnier's nickname is "Big Momma" because she is a large and motherly figure to her younger charges. She is a dead ringer for Ethel Merman in build and looks. There were moments when one expected her to rise and start belting out "There's No Business Like Show Business." She certainly took centre stage last week.

Milton Keynes Kings and Edinburgh Racers. Paul Hand, the Racers defender, was dismissed from the game late in the first period for excessive roughness.

Basingstoke maintain their top place with a 7-5 win over Peterborough Pirates following their 6-4 home loss to Sheffield Bracknell Bees, without a league win so far, confirmed their last place as they lost 11-6 to Whitley Warriors, with Whitley's new signing, Brian Verbeek, scoring four times on his debut.

GOLF: Bruce Lietzke shot a final round of 65, seven under par, to overcome a strong finish by Robert Gomez and win the 90-hole Las Vegas Invitational tournament by one stroke. Lietzke, 20 years on the circuit, sank a four-foot eagle putt on the par-five 16th hole to take the lead and he finished on 332, 27-under-par. Gomez birdied the last five holes for an impressive 64, eight-under par, to finish runner-up.

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Gymnast breaking new ground with help of erstwhile sibling rival

Sisters unite to meet special needs

Sally Jones reports on the achievements of a double act undeterred by Down's Syndrome

The sisters who have become the most extraordinary double act in gymnastics achieved yet another first when they competed together in a high-class field at the prestigious Yorkshire Rose team championship at Wetherby. Judith Pipes, 18, and her elder sister, Susan, 20, plus their team-mate, Nicola Brown, took gold at the event earlier this month. Judith recorded the highest scores on the vault and the floor, but it was Susan's floor routine, the third best of the competition, that earned the biggest and most emotional ovation of the night.

For Susan, simply taking part is little short of miraculous. She is the only handicapped gymnast competing in mainstream open competition. She was born with Down's Syndrome and as a child suffered from the poor muscle tone and restricted physical ability associated with the condition. When Judith began to walk and talk, Susan became so frustrated at being unable to keep up with her sister that her hair fell out.

When Judith started training at a Hull gymnastics club, aged 7, Susan became particularly irritable and insisted on joining in, although as her mother, Elin, recalls, nobody believed that she would ever achieve even the simplest of moves.

"It was all a case of Susan wanting to do everything that Judith did," Elin said. "When Susan was born two years after our son, we were absolutely devastated that she had Down's Syndrome and we went to a paediatrician to ask what we should do for the best. He said: 'Have another baby as soon as possible because having a child either side of Susan will bring her on a treat.' How right he was."

"When they first started gymnastics, Susan had such physical problems we never thought she'd cope with the apparatus. Even on the lowest beam she was terrified and clung to the coaches, really hating it, but gradually Judith brought her on, helping and encouraging the whole time, and the two of them have never looked back."

Gymnastics became such a passion for both youngsters that they persuaded their parents to convert the living-room into a training area, complete with low beam four



Susan, left, who has been winning medals in special needs and mainstream events, coached by her sister, Judith

inches off the floor. Although Judith became a talented competitor herself, winning scores of local and regional events, she soon decided that coaching was her real love and she concentrated on bringing on her sister, who began to excel in special needs competitions.

"I suppose I was about 11 when I realised my heart wasn't in competing full-time myself," Judith said. "Then, when Susan started to do well, it made all the hard

work worthwhile. It was quite tough sometimes, motivating her when she was tired or didn't want to try a new move and she'd say, 'I won't because I'm older than you'. But we persevered and I'd often break down a move into its component parts and get her to do it a little bit at a time, so that it wasn't until she came to put the whole thing together that she realised she'd just done what had seemed impossible."

"I suppose our proudest moment came in 1990, when she won the national special needs championship for the first time. Susan and I were sitting together on the floor waiting for the results and I'd worked out before anyone else that she'd done it. I just burst into tears and howled my eyes out, it meant so much to all of us."

Susan's first important international title came at the Special Olympics in Leicester

five years ago, when she took gold on the high beam, the only gymnast to attempt the routine at this level rather than just above the floor. At the Special Olympics last year, in Sheffield, she took gold in both the compulsory and voluntary floor routines and won overall silver, before achieving another milestone when she and Judith gave a joint display, the first time a special needs gymnast and a mainstream competitor had

performed together. "Susan had done a great compulsory floor routine in the competition," Judith recalled, "probably the best she's ever done, and a wonderful reward for all the hours she's spent practising it — sometimes as much as eight or ten hours a day."

"Then we did our demonstration together and when we looked at the crowd as we finished, we couldn't believe it. Everyone had their hands out and red eyes, they were crying like babies."

"Susan has got a great rapport with the crowd. She's a terrific showman and when she wins she beams like a rising sun. Another very proud moment was when she took the bronze medal on the floor in the mainstream Yorkshire Rose individual championship earlier this year, beating more than a dozen able-bodied gymnasts, the first time she had ever done that."

"Gymnastics has transformed her life. Being a success gave her so much confidence and helped her to concentrate better at school and at her training centre, as

'On the lowest beam she was terrified and clung to the coaches, hating it'

well as making her incredibly strong and fit.

Judith, a packer at a local chocolate factory, has received national recognition for her work with Susan and scores of other youngsters at the Hull Special Olympics Gymnastics Club, which she and her mother started five years ago. She looks likely to be invited to the World Games in the United States next year as one of the Great Britain coaches and both she and Susan are already trying to raise the £1,200 it will cost them to travel and accommodation expenses.

Susan, who is hugely and sweetly shy, talks of her victories, the words coming haltingly, but full of feeling. "I do well on the floor because I stretch a lot, my arms and legs. I go on the high beam I love gymnastics, it's fun. When I win I give everyone a hug and a kiss." Then she dashes off to practise the faster sprint she is learning to give her vault extra impetus, pausing only to demonstrate a moonwalk in imitation of her hero, Michael Jackson.

Chromatic innovation

Between the Ears. Radio 3, 10.05pm

It is helpful, though not essential, if you come to Adrian Jack's new radio programme knowing what makes a chromatic scale. Jack, who is a pianist, extracts what he needs from four centuries of chromatic-friendly music, from Copland's 20th-century "Cahoon's 100th Anniversary" to Judy Garland's 20th-century singing of "I'm Always Chasing Rainbows", and includes spoken-word passages, into it. More than that, he weaves into the tapestry some of his own works including "Snakes and Ladders". Have I made Chromatic Fantasy sound like a puzzle? It is that, all right. It is also a rewarding 40 minutes' worth of innovative radio.

Classic FM Evening Concert, 8.00pm

When I listen to Tchaikovsky's fourth symphony tonight, I must stop thinking about Claude Rains's phantoms of the opera. In trying to down the piano, I realise that it is the same with Rachmaninov's second piano concerto. I cannot hear it without thinking of Celia Johnson and Trevor Howard just managing to avoid adultery. And how I wish I could banish the ugly images of A Clockwork Orange from my mind whenever I hear Beethoven's No 9. Tonight's concert consists of recordings by the Philharmonia. They include Mahler's 7th, the Conductor's wife, Bernstein, has nothing to do with the Greek, Alan Guinness, and Hallé. Peter Dayville

RADIO 1

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Boys will be lads and will be left behind

From the boy-child's perspective, last night's viewing was right up there with King Herod on an off day. If the girls (yuck) don't get you, the sweets almost certainly will. That, anyway, seemed to be the double-barrelled conclusion of the unfortunately scheduled and unfortunately titled documentary of ferries from *Panorama* (BBC1) and *Cutting Edge* (Channel 4).

Unfortunately scheduled in that these fascinating films overlapped and unfortunately, titled in that anyone handy with the VHS (let's face it, one of the few things boys are still good at) could settle down to watch *The Future is Female* followed by *Open Wide*. Cue much adolescent giggling.

Sorry, but it was that sort of evening, I'm afraid. It seems, as giggling, sniggering and generally distracting ourselves into history. "What do you think of boys who work hard?" asked *Panorama*

reporter Mike Embley. "They're not really boys," replied an obliging, male six-year-old. It was no better at 16. "The lads just think, ah we can muddle through," said a worried looking sixth-former at a Humber college apparently over-run with high-rolling girls. Nor was it a problem, his contemporaries in the rugby team seemed inclined to tackle. "It's not a macho thing to work," said one, from the relative sanctuary of a single-sex changing room. Cue much laddish nodding of agreement.

Boys are falling behind girls at virtually every level of education was the programme's working hypothesis and it came up with strong supporting evidence. For the first time, girls were doing better than boys at A-level and at GCSE. More worryingly, at least for someone who'd just discovered that it might only have been positive discrimination that got him through the 11-plus, sisters

were outperforming brothers even at primary schools. "It is clear many boys never catch up," said friend *Panorama* reporters presumably apart.

Gripping it may have been, but *The Future is Female* was far from faults. Its style raised all the old arguments about scripted documentaries — ask enough six-year-olds what they think about boys who work hard and you're bound to find one with the answer that fits your contention. The rest can be discarded — or kept for the follow-up: *The Boys Fight Back*.

Nor did the commentary fight shy of cliché. Preconceptions were swept away, textbooks rewritten and sex wars declared. "Even in the board room," it unconvincedly intoned, "the best jobs may no longer be for the boys."

Cruelly, the programme left boys behind everywhere without even

REVIEW



Matthew Bond

Based on the research of a male professor at the University of Southern Illinois, it suggested that the gender gap is there at birth. Analysing the brain waves of week-old babies, the professor concluded: "The brain waves in females at birth seem to be a little more mature. It seems that boys are actually born with a disadvantage." His wife, who is also a professor at Southern Illinois and

conducts similar research using intelligence tests, agreed wholeheartedly — but wondered what had taken her husband so long.

By the end of all this there were no prizes for guessing the owner of the ghastly, gappy, rotten teeth that got *Open Wide* off to such an unedifying start. Sure enough, they belonged (or they did until part two, when they were spectacularly removed) to a four-year-old boy. Unwrapping sweets is one talent that comes early.

Ros Franey's film started where last week's gruesome *Inside Story* on plastic surgery left off. "Today is the day you've all been waiting for," the lecturer told a group of dental students at the Royal London Hospital, "pig's head surgery day." Sadly, he was right.

The purpose of today's exercise, he pronounced, "is to get a feel of the instruments, to feel yourself cutting through gum, to feel the scalpel cutting down to

bone." This disadvantaged boy-child felt a lie-down coming on.

Thankfully, Franey largely spared the scalpel from then on, although there were still moments, particularly during the removal of poor Jordan's teeth, when I found myself in need of something stronger than pink mouthwash. She also spared the hatchet that many believe the dental profession is long overdue for. Whatever her original intentions, Franey produced a very sympathetic film, won over perhaps by an engaging bunch of students.

The profession's perceived excesses were hinted at rather than attacked. "After four years you could be earning a maximum amount of money," said one aspirant tooth-puller, already counting the noughts. Maximum, it turned out was £45,000 a year — more with private patients.

As part of their education, a

bow-tied Dr Besford (kipper ties dangle in the girth) took two students along to his private clinic, where he traditionally opens a bottle of champagne to celebrate a new set of dentures. But even before righteous indignation could get up a decent head of steam, his patient — a nurse who had been working nights for years to avoid day-to-day contact with the dental-endowed — threw her arms round him in tearful gratitude. It was a heart-stopping, hetch-stopping moment.

But there were also memorable moments of humour. What were the problems of a dental plate, the demure and modest Salina asked her young woman patient? "When I was younger it was bit of a worry when you had a boyfriend and they put their tongues in your mouth. Would they feel it? The pause that followed could have filled a mouthful of cavities. Cue the adolescent giggles.

BBC1

- 6.00 Business Breakfast (35/67)
- 7.00 BBC Breakfast News (34/28/77)
- 9.00 *Kilroy*. Robert Kilroy-Silk chairs a studio discussion on a topical subject (22/5/58)
- 10.00 News (Ceefax) regional news and weather (13/5/58) 10.05 Good Morning with Anne and Nick. Magazine series presented by Anne Diamond and Nick Owen. Includes at 11.00 News, regional news and weather (15/11/87)
- 12.00 News (Ceefax) regional news and weather (13/5/58) 12.05 Pebble Mill introduced by Gloria Hunniford (34/22/23) 12.55 Regional News and weather (28/19/51)
- 1.00 One O'Clock News (Ceefax) and weather (47/12)
- 1.30 Neighbours (Ceefax) (8) (89/42/106) 1.50 Mary Berry's Ultimate Cakes (8) (86/13/187)
- 2.05 FILM: *The Outcast* (1954) starring John Derek. Western drama set in 1890s Colorado. Directed by William Wyler (4/2/12)
- 3.30 *The Little Polar Bear* (s) (33/33/33) 3.35 William's Wish (Wish) (s) (33/33/33) 3.40 Fireman Sam (77/54/55) 3.50 Chucklevidio (s) (s) (27/19/41) 4.10 The New York Bear Show (s) (74/45/46) 4.20 Spaceways (s) (90/42/80) 4.35 Fun TC with Dennis Minogue and Toby Anstis. (Ceefax) (s) (9/40/30)
- 5.00 Newsround (88/80/19) 5.10 Byker Grove. (Ceefax) (s) (53/36/70)
- 5.35 Neighbours (s) (Ceefax) (s) (67/49/41)
- 6.00 Six O'Clock News (Ceefax) and weather (57/0)
- 6.30 Regional News. Magazines (22), Northern Ireland: Neighbours
- 7.00 Hi-De-Hi. Holiday camp comedy set in 1959 (s) (Ceefax) (s) (20/30), Wales: Six of One
- 7.30 EastEnders. (Ceefax) (s) (10/5)
- 8.00 A Question of Sport presented by David Coleman. Bill Beaumont and Ian Botham are joined by Colin Jackson, Andy Townsend, Phil Tufnell and Lisa Lomas. (Ceefax) (8/33)
- 8.30 Natural Neighbours. Series on the relationship between people and animals (75/45)
- 9.00 Nine O'Clock News (Ceefax) regional news and weather (55/45)
- 9.30 Against All Odds. Snatched. (Ceefax) (7/17/30), Wales: *Week in Week Out*. 10.00 Against All Odds. 10.55 Omnibus. 11.45-11.55 The Deliberate Stranger

BBC2

- 7.00 The Adventures of Buzzy Bee and Friends (s) (74/41/25) 7.05 Puddingtime Tales (s) (87/43/46) 7.10 Teenage Mutant Hero Turtles (s) (Ceefax) (73/39/30) 7.30 Blue Peter (s) (Ceefax) (s) (25/30)
- 8.00 Breakfast News. (Ceefax) and signing (33/30/50)
- 8.15 Westminster Daily (57/90/77)
- 9.00 Daytime on Two. Educational programmes. Plus, for children, 10.00-10.25 Playdays (s) (24/18/25)
- 2.00 Christopher Crocodile (s) (44/44/42) 2.05 Spot (s) (44/44/42)
- 2.10 How The West Was Lost. Series on the fight by native Americans to protect their territory (21/35/45)
- 3.00 News (Ceefax) and weather followed by Westminster Live (78/26/70) 3.50 News (Ceefax) and weather (78/33/31)
- 4.00 Today's Day. Recent history quiz (3/35)
- 4.30 First Sight: Biting the Bullet. A discussion on the pros and cons of arming the police (s) (44/0), Wales: Week in Week Out. East: Milder of Fact: Midlands: Midland Report. North: North East, North West: Close Up. North: South: Southern Eye. South West: Close Up. West: Close Up West
- 5.00 Esther. Why it is difficult to leave a violent relationship (55/16)
- 5.30 Catchword. Word game (6/8)
- 6.00 All in the Mind. Quiz show (2/12)
- 6.30 Heartbreak High. Drama series set in a Sydney high school. (Ceefax) (s) (20/12/5)
- 7.15 Cartoon (78/48/39)
- 7.30 Open Space: Champs or Cheats? Prof Ellis Cashmore argues that drug use should be permitted in sport. (Ceefax) (7/48)
- 8.00 Picture This: You're Better Off Without Me. (Ceefax) (s) (8/30)
- 8.30 Raymond's Blanc Manger. (Ceefax) (s) (5/17)
- 9.00 Takin' Over the Asylum. Episode five of the six-part drama. (Ceefax) (s) (46/73/2)
- 9.50 Will's World. Puss Look explores Elizabethan cuisine. (Ceefax) (s) (12/18/7)
- 10.00 The Fast Show. Comedy sketch series. (Ceefax) (s) (7/13/2)
- 10.30 Newswatch. (Ceefax) (40/80/0)
- 11.15 The Late Show. Arts and media magazine (s) (70/62/9) 11.55 Weather (88/30/39)
- 12.00 FILM: Three Women in Love (1969) starring Johannes Heestersmann as a young philosopher whose life is taken over by three women. Directed by Rudolph Thome (88/17/13). Ends at 1.25am
- 2.00-4.00 Night School. Personal, Health and Social Education (s) (65/59/1)

CHOICE

Picture This: You're Better Off Without Me BBC1, 9.30pm

People take their own lives in Britain at the rate of one every two hours, a statistic which is bleak and meaningless unless applied to individual cases. Daniel Percival is a family counsellor but compelling film looks at how suicide affects those close to the victim. Clara's husband, Bob, killed himself after he lost his job. David lost his mother 30 years ago but the memory is still painful. June was six when she returned from school to find that her mother had gassed herself and her sister. As if one tragedy was not enough, in all three families there have been further suicides or attempts at suicide. Percival made the film from his heart. He dedicates it to his mother, the writer and broadcaster, Jacky Gillon, who took her life in 1980.

Against All Odds: Snatched BBC1, 9.30pm

Five dramatised stories of courage and determination open with a Liverpool mother, Linda McNeill, battling to reclaim her three children from her estranged husband. To make her task harder, he has taken them to the Turkish part of Cyprus which is not recognised by the British Government. There follows an ingenious plan to rescue the children from under their father's nose and get them back across the border. The real Linda McNeill narrates and she is played in the reconstruction by a reasonable lookalike, Gilly Coman. If Linda is the heroine, almost everyone else comes out badly. The former husband is violent, the lawyers are useless and the *Sunday Express* journalist called in to help is concerned only with his deadlines.

Without Walls Channel 4, 9.00pm

The idiosyncratic arts series returns with Garry Bushell of *The Sun* lamenting the demise of Alf Garnett. Bushell claims that Alf was killed off by middle-class political correctness. But was not Alf a racist, a misogynist and a xenophobe? Yes, says Bushell, but he made 20 million people laugh. Since Johnny Speight created Alf to expose rather than endorse popular bigotry, Bushell seems to be on shaky ground. But he has an ally in the writer Paul Johnson, who calls Alf "a fount of working-class wisdom". *Without Walls* also features a spoof late night arts show in which a Sarah Dumas localities interviews Lucrèce Borgia while the excesses of Renaissance Italy are repeated behind the cameras. The idea is good, the treatment labourious.

Alan Bleasdale Presents: Pleasure Channel 4, 10.00pm

Christopher Hood's play, the last in the series by writers new to television, is a tale of passion, betrayal and revenge inspired by a quotation from Raymond Chandler. But this is hardly a Chandler story, not least because the setting and mood are French. Adrian Dunbar plays Gustav, a thief and con-man who places a lonely hearts ad for female company. Bored by her dull husband, the sexually-charged Emma (Jennifer Ehle) is happy to oblige. The scenario, which switches between Rouen and Paris, also features a police hunt for a masked robber. The piece is not without its obscurities but it is stylishly photographed and infused with quirky humour.

CARLTON

- 6.00am GMTV (45/37/35) 6.40 Parkin's in... (35/45/30)
- 9.25 Supermarket Sweep (s) (95/35/30) 9.55 London Today (Teletext) and weather (24/32/74)
- 10.00 The Time... The Place (19/70/38)
- 10.35 This Morning (90/48/274) 12.20pm London Today (Teletext) and weather (13/45/54)
- 12.30 ITN Lunchtime News (Teletext) (88/28/187)
- 12.55 Emmerdale (s) (Teletext) (88/31/06)
- 1.25 Home and Away (Teletext) (81/09/1477)
- 1.55 Vanessa. Vanessa Feltz chairs a discussion on a topic of interest to women (s) (14/53/40/3)
- 2.25 A Country Practice (s) (53/08/1496) 2.50 The Young Doctors (13/07/496)
- 3.20 ITN News headlines (67/76/125) 3.25 London Today (Teletext) and weather (87/75/495)
- 3.30 Children's ITV: Gigglelight Allsorts (s) (45/38/35) 3.40 Tele TV (s) (9/45/13) 3.50 The Raggy Dolls (s) (45/37/51) 4.05 Carlton Road Runner (s) (74/50/19) 4.15 Hurricanes (s) (62/64/58)
- 4.40 Children's Ward. Sister Mitchell confronts Martin the decorator. (Teletext) (s) (40/60/274)
- 5.10 After 5 (Teletext) (96/24/77)
- 5.40 News (Teletext) and weather (27/17/87)
- 5.55 Your Shout. Viewers' soapbox (62/41/87)
- 6.00 Home and Away (s) (Teletext) (58/8)
- 6.30 London Tonight (Teletext) (39/0)
- 7.00 Emmerdale. Kim plans a lunch party for the local town. (Teletext) (44/58)
- 7.30 Everyday Lives. The final programme in a series on people with disabilities follows partially-hearing Daniel as he sets off on his first day at school. (Teletext) (27/4)
- 8.00 The Bill: Land of the Blind. A young lad is accused of assault, although McCann believes he is innocent. (Teletext) (31/06)
- 8.30 Strike N' Lucky (Teletext) (s) (59/41)
- 9.00 Soldier. Soldier: Proud Men. Friendly rivalry erupts between the King's Own Fusiliers and a visiting American platoon. (Teletext) (s) (13/26)
- 10.00 News at Ten (Teletext) and weather (75/45/8) 10.30 London Tonight (Teletext) (70/33/0)
- 10.40 Network First: Nicholas and Alexandra — Annointed by God. Prince Michael of Kent presents the second programme on the last Tsar and Tsarina of Russia. (Teletext) (92/32/74)
- 11.40 Carlton Sport. Highlights of tonight's third-round Coca-Cola Cup matches (61/31/25)
- 12.00am Prisoner: Cell Block H (25/56/572)
- 1.40 FILM: Quatermass and the Pit (1967) starring Andrew Keir. An alien spaceship is unearthed during the building of an extension to the London Underground system. Directed by Roy Ward Baker (61/67/84)
- 3.30 Sport AM with Bob Symonds (52/201)
- 4.30 Beyond Reality. Supernatural tales (96/775)
- 5.00 Cinema, Cinema, Cinema (s) (53/572)
- 5.30 ITN Morning News (68/04). Ends at 6.00

CHANNEL 4

- 6.35am King Arthur and the Knights of Justice. Animated adventures (s) (78/25/45)
- 7.00 The Big Breakfast (73/35)
- 9.00 You Bet Your Life (s) (86/35)
- 9.30 Schools. Eureka! (82/37/187) 9.45 Stop, Look, Listen (82/56/70) 10.00 Fourways Farm (19/96/106) 10.10 Maths Everywhere (82/20/53) 10.25 How We Used to Live (52/56/50) 10.48 Mathsbox (58/71/89) 11.00 Science in Focus (38/73/49) 11.22 Stage One (47/20/31) 11.38 Schools at Work (86/55/54) 11.45 First Edition (38/02/93) (s)
- 12.00 House to House. Moya Even presents the political magazine (45/29)
- 12.30pm Sesame Street with Mel Gibson (54/670)
- 1.30 Trumpton. Followed by Little Barm (21/25)
- 2.00 FILM: Thursday's Child (1984). Fact-based drama starring Rob Lowe as a teenager in need of a heart transplant. With Gene Rowlands and Don Murray. Directed by David Lowell Rich (Teletext) (26/57/7)
- 3.45 Football. Cartoon (45/32/12)
- 4.00 Scotland's Leader. The last programme in the series looks at the more traditional methods of preserving food (Teletext) (9/3)
- 4.30 Fifteen to One (Teletext) (s) (18/7)
- 5.00 The Oprah Winfrey Show: Giving Families a New Look. The American chat show hostess offers her guests the opportunity to transform the appearance of their parents and grandparents. (Teletext) (s) (54/72/30)
- 5.50 Terrytoons. Cartoon capers (64/70/38)
- 6.00 Batman. Penguin is up to his old tricks. (Teletext) (38/0)
- 6.30 Gamesmaster. News of the latest computer games (s) (53/2)
- 7.00 Channel 4 News (Teletext) and weather (18/55/64)
- 7.50 Belfast Lessons (35/82/12)
- 8.00 Ride On. Muriel Gray and Sean Langan report on plans to use the Channel Justice Bill to silence road protesters. (Teletext) (s) (17/43)
- 8.30 Brookside (s) (35/83)
- 9.00 Without Walls: The National Air (Teletext) (s) (15/33) 9.30 The Night Show: Lucrèce Borgia Reveals All (Teletext) (s) (53/30)
- 10.00 Alan Bleasdale Presents: Pleasure (Teletext) (s) (20/35)
- 12.00 South Central. Tina Lilford stars as a single mother bringing up her children in inner-city Los Angeles in the first of a ten-part comedy series (s) (66/39/7)
- 12.30am Football Italia — Mezzanotte. Tonight's match from Serie A is Roma v Cagliari (20/81)
- 1.30 World Tennis (35/12)
- 2.00 FILM: Crack-Up (1936, b/w). Spy thriller starring Peter Lorne in a tale of ruse and double-cross on the maiden flight of an innovative aircraft carrier. With Brian Donley and Thomas Beck. Directed by Malcolm St Clair (51/64/82). Ends at 3.15

VARIATIONS

- ANGLIA**
As London except 1.05 A Country Practice (84/19/51) 2.30-3.30 Blockbusters (13/7/48) 5.10-5.40 Scotland's Leader (56/24/77) 6.35-7.00 Anglia News (19/274) 7.30-8.00 Blockbusters (27/11/40) 8.00-8.30 The Big Breakfast (27/11/40) 8.30-9.00 The Big Breakfast (27/11/40) 9.00-9.30 The Big Breakfast (27/11/40) 9.30-10.00 The Big Breakfast (27/11/40) 10.00-10.30 The Big Breakfast (27/11/40) 10.30-11.00 The Big Breakfast (27/11/40) 11.00-11.30 The Big Breakfast (27/11/40) 11.30-12.00 The Big Breakfast (27/11/40)
- CENTRAL**
As London except 1.05 A Country Practice (84/19/51) 2.30-3.30 Blockbusters (13/7/48) 5.10-5.40 Scotland's Leader (56/24/77) 6.35-7.00 Anglia News (19/274) 7.30-8.00 Blockbusters (27/11/40) 8.00-8.30 The Big Breakfast (27/11/40) 8.30-9.00 The Big Breakfast (27/11/40) 9.00-9.30 The Big Breakfast (27/11/40) 9.30-10.00 The Big Breakfast (27/11/40) 10.00-10.30 The Big Breakfast (27/11/40) 10.30-11.00 The Big Breakfast (27/11/40) 11.00-11.30 The Big Breakfast (27/11/40) 11.30-12.00 The Big Breakfast (27/11/40)
- GRANADA**
As London except 1.05 A Country Practice (84/19/51) 2.30-3.30 Blockbusters (13/7/48) 5.10-5.40 Scotland's Leader (56/24/77) 6.35-7.00 Anglia News (19/274) 7.30-8.00 Blockbusters (27/11/40) 8.00-8.30 The Big Breakfast (27/11/40) 8.30-9.00 The Big Breakfast (27/11/40) 9.00-9.30 The Big Breakfast (27/11/40) 9.30-10.00 The Big Breakfast (27/11/40) 10.00-10.30 The Big Breakfast (27/11/40) 10.30-11.00 The Big Breakfast (27/11/40) 11.00-11.30 The Big Breakfast (27/11/40) 11.30-12.00 The Big Breakfast (27/11/40)
- HITV WEST**
As London except 2.05 Travel Trails (30/37/48) 2.30-3.30 Blockbusters (13/7/48) 5.10-5.40 Scotland's Leader (56/24/77) 6.35-7.00 Anglia News (19/274) 7.30-8.00 Blockbusters (27/11/40) 8.00-8.30 The Big Breakfast (27/11/40) 8.30-9.00 The Big Breakfast (27/11/40) 9.00-9.30 The Big Breakfast (27/11/40) 9.30-10.00 The Big Breakfast (27/11/40) 10.00-10.30 The Big Breakfast (27/11/40) 10.30-11.00 The Big Breakfast (27/11/40) 11.00-11.30 The Big Breakfast (27/11/40) 11.30-12.00 The Big Breakfast (27/11/40)
- HITV WALES**
As London except 2.05 Travel Trails (30/37/48) 2.30-3.30 Blockbusters (13/7/48) 5.10-5.40 Scotland's Leader (56/24/77) 6.35-7.00 Anglia News (19/274) 7.30-8.00 Blockbusters (27/11/40) 8.00-8.30 The Big Breakfast (27/11/40) 8.30-9.00 The Big Breakfast (27/11/40) 9.00-9.30 The Big Breakfast (27/11/40) 9.30-10.00 The Big Breakfast (27/11/40) 10.00-10.30 The Big Breakfast (27/11/40) 10.30-11.00 The Big Breakfast (27/11/40) 11.00-11.30 The Big Breakfast (27/11/40) 11.30-12.00 The Big Breakfast (27/11/40)
- MERIDIAN**
As London except 12.30pm-12.50pm Meridian News and Weather (19/45/54) 1.05pm A Country Practice (84/19/51) 2.30-3.30 Blockbusters (13/7/48) 5.10-5.40 Scotland's Leader (56/24/77) 6.35-7.00 Anglia News (19/274) 7.30-8.00 Blockbusters (27/11/40) 8.00-8.30 The Big Breakfast (27/11/40) 8.30-9.00 The Big Breakfast (27/11/40) 9.00-9.30 The Big Breakfast (27/11/40) 9.30-10.00 The Big Breakfast (27/11/40) 10.00-10.30 The Big Breakfast (27/11/40) 10.30-11.00 The Big Breakfast (27/11/40) 11.00-11.30 The Big Breakfast (27/11/40) 11.30-12.00 The Big Breakfast (27/11/40)

SKY ONE

- 8.00am DJ Kat Show (21/30/58) 8.40am News (19/274) 9.00am News (19/274) 9.30am News (19/274) 10.00am News (19/274) 10.30am News (19/274) 11.00am News (19/274) 11.30am News (19/274) 12.00am News (19/274) 12.30am News (19/274) 1.00am News (19/274) 1.30am News (19/274) 2.00am News (19/274) 2.30am News (19/274) 3.00am News (19/274) 3.30am News (19/274) 4.00am News (19/274) 4.30am News (19/274) 5.00am News (19/274) 5.30am News (19/274) 6.00am News (19/274) 6.30am News (19/274) 7.00am News (19/274) 7.30am News (19/274) 8.00am News (19/274) 8.30am News (19/274) 9.00am News (19/274) 9.30am News (19/274) 10.00am News (19/274) 10.30am News (19/274) 11.00am News (19/274) 11.30am News (19/274) 12.00am News (19/274) 12.30am News (19/274) 1.00am News (19/274) 1.30am News (19/274) 2.00am News (19/274) 2.30am News (19/274) 3.00am News (19/274) 3.30am News (19/274) 4.00am News (19/274) 4.30am News (19/274) 5.00am News (19/274) 5.30am News (19/274) 6.00am News (19/274) 6.30am News (19/274) 7.00am News (19/274) 7.30am News (19/274) 8.00am News (19/274) 8.30am News (19/274) 9.00am News (19/274) 9.30am News (19/274) 10.00am News (19/274) 10.30am News (19/274) 11.00am News (19/274) 11.30am News (19/274) 12.00am News (19/274) 12.30am News (19/274) 1.00am News (19/274) 1.30am News (19/274) 2.00am News (19/274) 2.30am News (19/274) 3.00am News (19/274) 3.30am News (19/274) 4.00am News (19/274) 4.30am News (19/274) 5.00am News (19/274) 5.30am News (19/274) 6.00am News (19/274) 6.30am News (19/274) 7.00am News (19/274) 7.30am News (19/274) 8.00am News (19/274) 8.30am News (19/274) 9.00am News (19/274) 9.30am News (19/274) 10.00am News (19/274) 10.30am News (19/274) 11.00am News (19/274) 11.30am News (19/274) 12.00am News (19/274) 12.30am News (19/274) 1.00am News (19/274) 1.30am News (19/274) 2.00am News (19/274) 2.30am News (19/274) 3.00am News (19/274) 3.30am News (19/274) 4.00am News (19/274) 4.30am News (19/274) 5.00am News (19/274) 5.30am News (19/274) 6.00am News (19/274) 6.30am News (19/274) 7.00am News (19/274) 7.30am News (19/274) 8.00am News (19/274) 8.30am News (19/274) 9.00am News (19/274) 9.30am News (19/274) 10.00am News (19/274) 10.30am News (19/274) 11.00am News (19/274) 11.30am News (19/274) 12.00am News (19/274) 12.30am News (19/274) 1.00am News (19/274) 1.30am News (19/274) 2.00am News (19/274) 2.30am News (19/274) 3.00am News (19/274) 3.30am News (19/274) 4.00am News (19/274) 4.30am News (19/274) 5.00am News (19/274) 5.30am News (19/274) 6.00am News (19/274) 6.30am News (19/274) 7.00am News (19/274) 7.30am News (19/274) 8.00am News (19/274) 8.30am News (19/274) 9.00am News (19/274) 9.30am News (19/274) 10.00am News (19/274) 10.30am News (19/274) 11.00am News (19/274) 11.30am News (19/274) 12.00am News (19/274) 12.30am News (19/274) 1.00am News (19/274) 1.30am News (19/274) 2.00am News (19/274) 2.30am News (19/274) 3.00am News (19/274) 3.30am News (19/274) 4.00am News (19/274) 4.30am News (19/274) 5.00am News (19/274) 5.30am News (19/274) 6.00am News (19/274) 6.30am News (19/274) 7.00am News (19/274) 7.30am News (19/274) 8.00am News (19/274) 8.30am News (19/274) 9.00am News (19/274) 9.30am News (19/274) 10.00am News (19/274) 10.30am News (19/274) 11.00am News (19/274) 11.30am News (19/274) 12.00am News (19/274) 12.30am News (19/274) 1.00am News (19/274) 1.30am News (19/274) 2.00am News (19/274) 2.30am News (19/274) 3.00am News (19/274) 3.30am News (19/274) 4.00am News (19/274) 4.30am News (19/274) 5.00am News (19/274) 5.30am News (19/274) 6.00am News (19/274) 6.30am News (19/274) 7.00am News (19/274) 7.30am News (19/274) 8.00am News (19/274) 8.30am News (19/274) 9.00am News (19/274) 9.30am News (19/274) 10.00am News (19/274) 10.30am News (19/274) 11.00am News (19/274) 11.30am News (19/274) 12.00am News (19/274) 12.30am News (19/274) 1.00am News (19/274) 1.30am News (19/274) 2.00am News (19/274) 2.30am News (19/274) 3.00am News (19/274) 3.30am News (19/274) 4.00am News (19/274) 4.30am News (19/274) 5.00am News (19/274) 5.30am News (19/274) 6.00am News (19/274) 6.30am News (19/274) 7.00am News (19/274) 7.30am News (19/274) 8.00am News (19/274) 8.30am News (19/274) 9.00am News (19/274) 9.30am News (19/274)

England restrict changes to recall of Guscott and Johnson



Guscott: luminous skills

By DAVID HANDS
RUGBY CORRESPONDENT

FOR all the hints that had been dropped about the possibility of change for England's pre-Christmas international rugby programme, when it came to the announcement yesterday of the side to play Romania on November 12 there was a strong element of conservatism.

Indeed, the side for the match at Twickenham differs in only two respects from that which took the field against South Africa in Cape Town in June and, had they been available, both Jeremy Guscott and Martin Johnson would have been in that line-up. It is possible to envisage this England team doing battle when the World Cup opens in South Africa next May.

Speculation, nourished by the England selectors, had suggested that the meetings at Twickenham with Romania and Canada (on December 10) could be used to introduce such players as Graham Rowntree or Simon Shaw to the rigours of international rugby. That may yet prove to be the case against the Canadians and there is still the five nations' championship to come, but clearly the management has gone for a team which, they believe, will give them the best possible start to this protracted season.

Will Carling, winning his fiftieth cap, resumes the partnership with Guscott that has served England so well in 27 internationals. Guscott has only once played alongside another centre, Simon Halliday, in his debut game, also against Roma-

nia, in Bucharest in 1989. Since Guscott scored three tries that day it may be a shrewd psychological ploy to bring him back against the same opponents.

After a year spent recovering from a painful pelvic condition, Guscott, 29, can have had no expectation of resuming his inter-

national career straight away. In addition, the form of Philip de Glanville, his Bath colleague, has been one of the most consistent features of England's inconsistent past 12 months, yet in two games Guscott has shown enough glimpses of his luminous running skills to earn a recall.

Johnson, the Leicester lock, was punched out of the tour to South Africa by the Transvaal prop, Johan le Roux, who subsequently earned greater notoriety for his ear-biting exploit in New Zealand. Johnson takes the place occupied by Nigel Redman, but the area which caused most debate was the back row.

Ben Clarke is restored to his favoured position of No 8, which he occupied in Cape Town because Dean Richards was injured. Tim

Rodber plays at blind-side flanker, a gesture of confidence for one whose tour to South Africa ended on such a downbeat note, and Steve Ojomoh — by no means a regular in Bath's first team this season — is given the contentious No 7 jersey, ahead of Clarke and Neil Back.

Clarke was always a reluctant open-side flanker and it remains to be seen whether he or Richards is preferred in the new year at No 8. Richards looked sharper playing for Leicester against Bath on Saturday than for some time and his instincts for the game far outweigh those of Clarke; in the Bath man's favour is his pace over hard ground and his extra height at the tail of the line-out.

That saga will run and run, as will the debate over open side. The selectors have asked the South-

West to play Ojomoh at No 7 in the divisional championship next month, which means that the division will be unable to play Derek Eves, their captain last season, there. In addition, London have been asked to play Lawrence Dallaglio at open side and Shaw, the Bristol front-jumping lock, in the middle of the line-out.

Coaches the world over believe open-side flanker to be a specialist position yet England persist in trying to convert Ojomoh in the hardest of arenas — international rugby. Eves, who is not a member of the national training squad, and Back may feel justifiably disappointed, though their time may yet come.

Amateurism row, page 42
South Africans team, page 44

Great Britain captain gambles on suspension being reduced

Edwards runs risk with ban appeal

By CHRISTOPHER IRVINE

SHAUN Edwards, the Great Britain rugby league captain, is to appeal against the three-match suspension that will put him out of the second John Smith's international against Australia at Old Trafford on Saturday week. In doing so, he runs the risk of being banned from the series altogether.

It is a course open to the international board appeal panel of two British officials and an Australian chairman tomorrow. So is reducing the ban of three games, which would make Edwards available once more for the Old Trafford game and perhaps provoke an even greater controversy.

After pleading guilty to misconduct, namely the reckless head-high tackle on Bradley Clyde, of Australia, that brought about his first-half dismissal at Wembley on Saturday, Edwards considered the sentence, which included a £1,000 fine, to be unduly harsh.

He emerged after giving evidence during an hour-long hearing before the international disciplinary committee in Leeds yesterday with few words other than to indicate that he did not consider the matter over with. "I'm appealing against the severity of the verdict and it would be unwise of me to say anything further," he said.

The Australia management was satisfied at the outcome but any reduction in sentence by the appeal panel, although final, would bring an understandable outcry. A suspension of two games would immediately restore Edwards' international place as Wigan's game at Hull on Friday would account for one and a reserve fixture on the eve of the second Test the other. This can legitimately

count as part of his ban as Wigan have postponed their game with Featherstone that weekend.

In handing him a three-match ban, the committee yesterday took into account Edwards' good disciplinary record in more than 400 matches. Tom Bellow, director of the Australian Rugby League and chairman of the committee, said: "Edwards offered some explanations which are confidential between the committee. We accepted his plea of guilty to acting recklessly. His previous good record was taken into account — he had been suspended for one match for retaliation on one occasion three years ago."

When arriving at its verdict tomorrow, the appeal panel will be mindful of the recent furore at a two-match suspension given to Barrie McDermott, Wigan's prop forward, for a high tackle on Australia's Paul Sironen.

There is no doubting that the stiff-arm tackle on Clyde, which Edwards has apologised for and bitterly regrets, was an atrocious-looking incident, but his intention was not proven. As Clyde cut back inside, Edwards was wrong-footed but committed, and the action, he has said, was reflex and not deliberate.

As he did for the best part of the game on Saturday, Phil Clark, of Wigan, would assume the captaincy duties at Old Trafford. With Edwards missing, it has raised the intriguing possibility of a quick return by Garry Schofield, the former captain.

Clyde, who attended yesterday's hearing, hopes to be fit for the second international. "The doctor would not like to see me play before then," Clyde said. "I woke up yester-



Edwards declines the chance to enlarge on his appeal decision in Leeds yesterday. Photograph: Ross Parry

day still feeling nauseous, but I feel fine now." Laurie Daley is more of a doubt at this stage with a torn thigh muscle.

Australia have included seven of the side defeated at Wembley in the 17 for their match tomorrow against Sheffield Eagles, who will be missing Daryl Powell, the

Britain stand-off half, because of a dead-leg.

Before the second Great Britain international, Jonathan Davies (shoulder) and Allan Bateman (hamstring) are fighting to be fit for the Wales game with the Kangaroos at Cardiff on Sunday. "Britain wouldn't be the same

without Jonathan; multiply that value by ten and that's his importance to us," Clive Griffiths, the Wales coach, said.

Despite having played one reserve game in eight months, John Devenoux is set to play. With Anthony Sullivan and Mark Jones injured, and Barrie Williams unavailable, Jon-

athan Griffiths may switch from half back to hooker.

AUSTRALIA: v Sheffield (England): 2 Mullins (Cardiff); T Brasher (Barnsley); P McGregor (Barnsley); T Hill (Barnsley); R Whelan (Barnsley); K Walters (Barnsley); R Stuart (Cardiff); P Per (Cardiff); S Walters (Cardiff); G Liggins (Barnsley); D Fairclough (North Sydney); S Henderson (Merthyr); J Smith (Cardiff); Substitutes: A Birmingham (Cardiff); G Florino (North Sydney); D Funnell (Cardiff); P Harrigan (Newcastle).

Stewart expects broken finger to mend quickly

FROM MICHAEL HENDERSON IN PERTH

ALEC Stewart, the vice-captain of the England cricket team, will miss the opening matches of the tour after breaking his right index finger in practice. Stewart, who will open the batting this winter, received a nasty blow when batting against Craig White, the Yorkshire all-rounder.

"It is a bit of bad luck," Stewart said. "I hope I will not be out of action for more than ten days."

"I like to play as much as I can and get stuck into the cricket straight away. Lilac Hill, where we are playing tomorrow, is my club and I get a good reception there. I just hope I will be fit for the four-day game against South Australia."

Dave Roberts, the England physiotherapist, said that the hairline fracture could have been a lot worse but for the protective splints that most of England's batsmen now wear inside their gloves.

"Alec should be able to start batting again in the nets in a week and he's a quick healer, so I wouldn't rule out the South Australia match," Roberts said.

Stewart's injury is nothing like as serious as that suffered by Graham Gooch on the same ground in 1990. He developed a poisoned hand after his finger was broken by a Robin Smith straight drive and missed the first Test, which England lost.

Stewart's absence for the first-class match against West-

ern Australia in Perth may provide John Crawley with the opportunity to make runs going in first with Michael Atherton. Crawley is not playing in the opening match at Lilac Hill. Instead Atherton will open the batting with Gooch, with Graeme Hick and Graham Thorpe and Mike Gatting occupying the other three batting places. Apart from Stewart, everyone will get a game before the four-day match against Western Australia.

Crawley and White will play in the day-night match at the WACA on Thursday, when Devon Malcolm and Phil Tufnell play in place of Martin

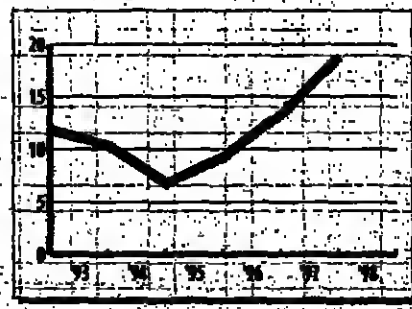
Old faces return ... page 46
Zimbabwe denied ... page 46

McCague and Joey Benjamin.

After inflicting the injury upon Stewart, White became the next England casualty, turning his right ankle while chasing a ball in the outfield. The Yorkshire all-rounder, bowling for the first time in the middle since his season was ended by a shin injury at the end of July, had looked impressive. Fortunately, he was not seriously hurt.

ENGLAND v Australia's 20: M A Atherton, G A Gooch, G A Hick, G P Thorpe, M W Gatting, S J Rhodes, P A J De Vries, S O Lous, D Gough, M J McCague, J E Benjamin.

ENGLAND v Western Australia, day-night one-day match: Atherton, Gooch, Hick, Thorpe, J P Crawley, C White, Rhodes, Gough, De Vries, D E Malcolm, P C R Tufnell.



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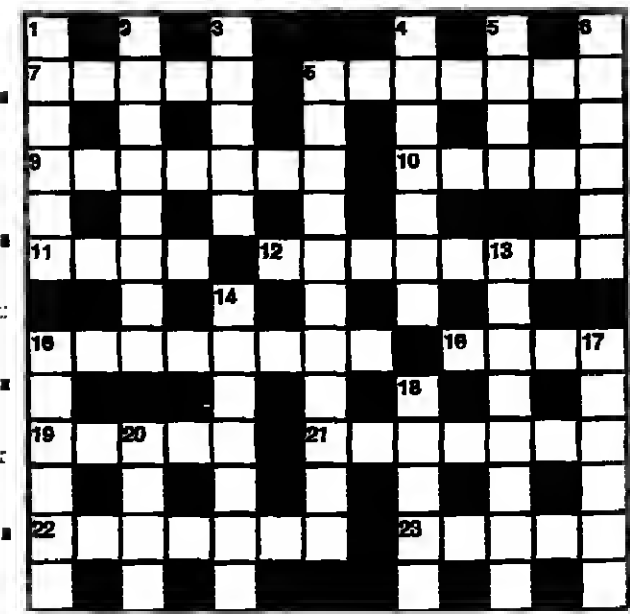


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TIMES TWO CROSSWORD

No 301

- ACROSS
- Outburst; white mark on face (5)
 - Feebly compliant individual (7)
 - Become popular; finally understand (5,2)
 - Unchallengeable proposition (5)
 - Flickering mush (TV); natural fall (4)
 - 50p-piece shape (8)
 - Pistols, etc. worn by officer (4,4)
 - Gibe; sharp point (4)
 - Effective, binding (5)
 - Person designated (as candidate) (7)
 - Group of nests; slum tenement (7)
 - Relish, enthusiasm (5)

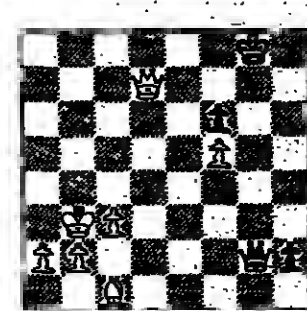
- DOWN
- Counting-frame (6)
 - Take-away meals (4,4)
 - River of forgetfulness (5)
 - (Seasoning added) empirically (2,5)
 - African tribal army (4)
 - Male organ of flower (6)
 - Extra pay for risky work (6,5)
 - Soviet openness (8)
 - Master of working dog (7)
 - Harsh (6)
 - From Brittany; André's French surrealist (6)
 - Insect after metamorphosis (5)
 - Proceeds of raid (4)

SOLUTION TO NO 300

ACROSS: 1 Post factum 9 Epizootic 10 Finer 11 Tier 12 Fabulous 14 Employ 15 Snatch 16 Immanent 20 Gulp 22 Douse 23 Overcast 24 Post-modern
DOWN: 2 Over 3 Trepan 4 Affluent 5 Tango 6 More's the pity 7 Get the wind up 8 Give up 13 Moonbeam 16 Toupée 17 Ungood 19 Mauls 21 Jeer

This position is from the game Simagin - Bronstein, Moscow 1947. Can White win despite the imminent arrival of a new black queen on h1? This is a difficult problem and anyone who solves it can consider themselves a strong player.

Solution, page 45
Raymond Keene, page 6



By Philip Howard

NEKTONIC

- Swimming
- Woven fibre-glass
- A hormone

KHLIST

- Volcanic dust
- A semi-precious stone
- A masochistic sectarian

MINETTE

- A child baller dancer
- A low-grade iron
- An early torpedo

KRAMAT

- A desert sun shelter
- A Muslim holy place
- An Ottoman court

Answers on page 45